

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1973

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 1, 1973



Vol. 2

WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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**JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1973**

SEVENTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 10, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Henry Lyons, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jackson	Pruitt
Adams	Culver	Jones (F)	Reed (T)
Adwell	Dill	King	Reid (R)
Agee	Doss	Kinsey	Reynolds
Bank	Downing	Lang	Roberts
Barkett	Drake	Lutz	Robertson
Barron	Easters	McBride	St. John
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Mims	Waldrop
Cauthen	Hale	Naramore	Wallace
Collins	Hardin	Netties	Warren
Connell	Harris	O'Daniel	Weeks
Coshatt	Headley	Owens	Williams
Cottingham	Hill	Parker	Wise
Crawford	Hobbie	Perloff	Wood
Cross	Hughes	Porter	Wynot

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the sixteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixteenth legislative day was approved.

LEAVES OF ABSENCE

At the request of Mr. McCorquodale, leave of absence was granted for Mr. Therrell due to death in the family.

At the request of Mr. Cauthen, leave of absence was granted for Mr. Slate due to illness in the family.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 114. To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to each member of the armed services from this State who was a prisoner of war in Vietnam; to provide for the administration of this Act by the State Department of Veterans Affairs.

H. 835. To make a supplemental appropriation to the Agricultural Center Board for the Livestock Coliseum for the fiscal year ending September 30, 1973.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1273. To amend Section 257, subsection (d) of Section 262, Sections 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301, paragraphs (2), (4) and (5) of Section 309, Sections 312 and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular

Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, providing immunity under certain circumstances from suits to co-employees, to workmen's compensation insurance carriers of employers and to persons or companies making certain safety inspections, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal year beginning October 1, 1974, and ending September 30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940, as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

H. 1259. To amend Section 198, Subsections C and F of Section 201, Paragraph 3 of Subsection C of Section 204, Section 207, Subsections B and C of Section 214, Subsections C and D of Section 216, Section 239 and Paragraph (1) of Subsection F of Section 240, Title 26, Chapter 4, Code of Alabama 1940, relating to appointment of an Alternate Treasurer, merging of non-profit organizations, financing unemployment benefits by political subdivisions, extending the time limit an employer may file a claim for credit for rehire, increasing the maximum weekly benefit amount, limiting disqualifications for certain separations and increasing the penalty for other separations, non-charging an employer's experience rating record, crediting the employer's experience rating record when a decision allowing benefits is reversed by an appellate authority, providing a fine for an employer failing to file a contribution report, relieving newly subject construction contractors of the requirement to provide surety and permitting the requirement of surety from delinquent construction contractors.

H. 1258. To amend Section 8, Title 26, Chapter 1, Code of Alabama 1940, as last amended, relating to the pay for members of the Board of Appeals of the Department of Industrial Relations.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1304. To amend Code of Alabama 1940, Title 14, Sections 314 and 318 so as to redefine murder in the first degree, to eliminate the provision thereof giving the jury authority in its discretion to sentence the defendant in a murder case to death, to provide further for mandatory death sentence in certain murder cases, and to provide for and regulate automatic review by the board of pardons and paroles of all murder cases in which the defendant is sentenced to death after all judicial review of such cases and for the recommendation by said board of pardons and paroles to the Governor for the commutation of such sentences when certain mitigating circumstances surround the case.

H. 695. To amend Section 1 of Act No. 534, S. 353, General Acts of Alabama 1943 Regular Session, (1943 General Acts of Alabama, p. 508), as last amended, so as to provide deductions from sentences of less than six months and over thirty days.

H. 1233. To provide that whenever any eye and physical examination is required of an individual as a prerequisite to employment, the purchase of eye glasses or other visual aids shall not be required until the job applicant shall have passed the physical examination and have been given a valid offer of employment; to make the violation of the provisions of this act a misdemeanor.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 979. (With Substitute) (With Amendment): To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 241. (With Amendment): To amend further Section 41 of Title 36 of Code of Alabama, 1940, which relates to rules of the road concerning restrictions on certain lights, so as to prohibit the use of red or blue lights on any vehicles except those used by police, fire, or ambulance agencies; or any other emergency, rescue, or similar agency authorized by the local law enforcement department to use such lights.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 233. To amend Section 37 of Act No. 516, H. 769, Regular Session 1949, which Act regulates use of highways by pedestrians and vehicles,

by allowing a vehicle to turn right on a red traffic signal after making a full stop.

H. 880. To amend Section 4 and further amend Section 5 of Act No. 704, H. 475, Regular Session (Acts 1951, p. 1228), providing for the filing of a report and security following an accident, so as to provide for an increase in the amount of property damage necessary for filing such report to \$200.00 property damage.

H. 294. To amend Section 5 and 8 of Act No. 652, S. 129, Regular Session 1949 (Acts 1949, p. 1006), which regulates the operation of motor-driven cycles on highways, so as to require that the headlight and rear light of motor-driven cycles shall be ignited during all hours of operation upon the public roads of this state; to provide penalties and exceptions.

H. 234. Relating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 544. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the county coroner.

H. 980. To further amend Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), as amended, which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

H. 981. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

H. 1199. Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

H. 1200. Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

H. 1201. To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

H. 1240. To repeal Act No. 1177, H. 2219, Regular Session 1971 (Acts 1971, p. 2033), entitled "An Act Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to

the most recent federal decennial census," and to provide that the Superintendent of Education in such counties shall henceforth be elected as was provided for by law before the enactment of said Act No. 1177.

H. 1271. To allow branch banking under described conditions in Marshall County, Alabama.

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 73. (With Amendment): Relating to the method of giving notice of the requirement of attendance of jury service in the 15th Judicial Circuit of Alabama.

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 74. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to authorize the Board of Registrars to meet five days each week.

H. 80. To regulate further the power and authority of cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 796. (With Amendments): To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to

create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 826. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

RESOLUTIONS

The following resolutions introduced on the sixteenth legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 125. EXTENDING APPRECIATION FOR HIS OUTSTANDING SERVICES TO DR. EDWIN VIRGINIUS SMITH, DEAN AND DIRECTOR, AUBURN UNIVERSITY SCHOOL OF AGRICULTURE AND AGRICULTURAL EXPERIMENT STATION.

Also:

H. J. R. 126. COMMENDING CHESTER MILTON AREHART UPON HIS RETIREMENT AS REGISTRAR FOR FLORENCE STATE UNIVERSITY.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Kinsey and Benton:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

Ways and Means.

By Messrs. Kinsey, Carter, King, Hill, Cross, Cauthen, Agee, Adams, McCorquodale, Warren, Benton and May:

H. 1311. Relating to non-resident hunting licenses; amending Section 2 and Section 4 of Act No. 751, H. 330, Regular Session 1965, (Acts 1965, p. 1365), so as to increase the cost of various types of non-resident hunting licenses.

Conservation.

By Messrs. Kinsey, Carter, King, Hill, Cross, Cauthen, Agee, Adams, McCorquodale, Warren, Benton and May:

H. 1312. Providing penalties for any non-resident of this state who gives false information in order to obtain a resident hunting or fishing license.

Conservation.

By Messrs. Kinsey, Carter, King, Hill, Cross, Cauthen, Agee, Adams, McCorquodale, Warren, Benton and May:

H. 1313. To amend Section 39 and Section 40, Title 8, Code of Alabama 1940, as amended, which sections relate to the costs of non-resident fishing license, so as to further regulate the costs of said licenses.

Conservation.

By Messrs. Kinsey and Benton (With Notice and Proof):

H. 1314. To authorize the Baldwin County Commission to provide a humane shelter for animals in said county.

Local Legislation No. 1.

Notice and Proof H. 1314:

LEGALS

STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Baldwin County Commission to provide a humane shelter for animals in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or other like governing body of Baldwin County is hereby authorized to expend county funds for the purpose of providing a humane shelter for animals in said county, together with such employees, equipment, supplies, telephone service and costs of transportation as may be necessary for the efficient operation of said shelter and consistent with the performance of the duties of humane officers, by whatever name called.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Michael M. Breedlove, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 8, March 15, March 22, and March 29, all in the year 1973.

MICHAEL M. BREEDLOVE,
Editor.

Sworn to and subscribed before me April 3, 1973.

LINDA H. BREEDLOVE,
Notary Public.

My Commission expires Dec. 10, 1974.

By Messrs. Owens and Lyons:

H. 1315. To amend Section 343 of Title 55, Code of Alabama 1940, Recompiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment.

Ways and Means.

By Messrs. Owens and Lyons:

H. 1316. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investment by the State Insurance Fund.

Insurance.

By Messrs. Owens and Lyons:

H. 1317. To amend further Title 28, Section 321, Code of Alabama 1940, as amended, which relates to the state insurance fund; to provide for a discount or surcharge on premiums paid into the fund based on the experience of the individual insureds participating in the fund.

Insurance.

By Messrs. Pruitt, Turnham, Wynot, Smith (P), Brassell, Manley, Williams, Slate, Cauthen, Downing, Grainger, Lutz, King, Hearn, Fite, Culver, Bank, Parker, Robertson, Adams, Mims, Carter, Chesnut, Cross, Porter, Hill, Flippo, Goodwin, Reynolds, Grey (D), Lang, Weeks, Waggoner, St. John, McDonald, Bowers, Snell, Easters, Harris, Jones (F), Taylor, Barron, Collins, Therrell, Callahan, Hobbie, Wood, Perloff, Agee, O'Daniel, Edwards, Smith (K), Barkett, Reed (T), Gray (F), Casey, Bassett, Owens, Timmons, Headley, Jackson, Wise, Benton, Kinsey, Roberts, Warren, Merrill, Burgess, McCorquodale, Stewart, Drake, Hardin, McCluskey and Coshatt:

H. 1318. To authorize Alabama Public School and College Authority to sell and issue \$60 million aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Ways and Means.

By Messrs. Pruitt, Waggoner, Turner, Adwell, Barkett, Owens, Carter, Manley, Collins, Hobbie, Wise, Williams, Casey, Mims, McCorquodale, Downing, Turnham and Crawford:

H. 1319. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to redefine the term "all property of utilities" and thereby except therefrom the property of railroads,

freight lines and equipment companies engaged in the business of leasing railroad equipment, and so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Ways and Means.

By Messrs. McCorquodale and Lyons:

H. 1320. To provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer; to provide for the disposition of said funds by the State Treasurer; to provide that all funds paid out by the State Treasurer shall be budgeted and allotted; and further providing that any monies in the Land Surveys Fund in excess of \$100,000.00 at the end of any state fiscal year shall be transferred into the General Fund of the State.

Ways and Means.

By Mr. Mathews:

H. 1321. To make an appropriation for the payment of expenses of the Legislature.

Ways and Means.

By Mrs. Wynot:

H. 1322. To provide for the "Alabama Bicycle Safety Act" which requires mandatory reflective devices or materials on all bicycles sold in this state after a certain date; to establish standards for these reflective devices or materials and to provide the authority to carry out the provisions of this Act.

Highway Safety.

By Messrs. Hardin and Bassett (With Notice and Proof):

H. 1323. Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 1323:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Butler County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Greenville Advocate, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1973.

W. E. HARDIN.

Sworn to and subscribed before me July 10, 1973.

PAULINE B. FULTON,
Notary Public.

By Messrs. Hardin and Bassett (With Notice and Proof):

H. 1324. Relating to Butler County; providing the members of the Butler County Commission with an additional per diem expense allowance.

Local Legislation No. 1.

Notice and Proof H. 1324:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Butler County; providing the members of The Butler County Commission with an additional expense allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of The Butler County Commission shall upon approval of the commission be entitled to an additional expense allowance in the amount of TWO HUNDRED DOLLARS (\$200.00) each calendar month. This allowance shall be in addition to any and all other compensation and allowances and shall be payable from The Gasoline Fund of the county.

REGULAR SESSION
17th Day

1325

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Greenville Advocate, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

W. E. HARDIN.

Sworn to and subscribed before me July 10, 1973.

PAULINE B. FULTON,
Notary Public.

By Mr. Edwards:

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial Census: to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

Local Legislation No. 1.

By Mr. Edwards (With Notice and Proof):

H. 1326. To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Local Legislation No. 1.

Notice and Proof H. 1326:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Prattville, Autauga County, are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Prattville and in addition thereto the following described territory:

Begin at the Northeast Corner of the Northwest Quarter of Section 2, Township 17 North, Range 16 East, (the Northeast Corner of the present city limits), thence South 13,881 feet, more or less, to a point; this point being common to the Eastern boundary line of the West Half of Section 23, Township 17, Range 16, and to a line parallel to and 600 feet Southwesterly of the center line of U.S. Highway 31 (the Southeast Corner of the present city limits) thence in a Southeasterly direction 5720 feet parallel to center line of U.S. Highway 31 to a point in Section 25, Township 17 North, Range 16 East, on the North right of way of County Road No. 4, thence Easterly along the North right of way of County Road No. 4 and the extension of said line thereof to a point on the East line of Fractional Section 25 and being the boundary between Autauga and Elmore Counties, thence North along the boundary between Autauga and Elmore counties, 23,110 feet, more or less, to the Northeast Corner of Fractional Section 1, Township 17 North, Range 16 East, thence Westerly along North line of Sections 1 and 2 to the point of beginning.

Section 2. The substantive provisions of this act shall become effective only if the act is approved by a majority of the qualified electors of Autauga County who reside within the territory described above, voting in a referendum election to be held on the first Tuesday after the expiration of thirty days from the effective date of this act. The notice of the election shall be given by the probate judge of Autauga County by publication of such notice in one issue of a newspaper of general circulation in Autauga County. The question shall be the adoption of Act No. of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Prattville in Autauga County. The City of Prattville shall provide the place of election and ballots therefor on which shall be written or printed the words "Do you favor the adoption of Act No. of the 1973 Regular Session of the Legislature, which alters, rearranges, and extends the corporate limits of the City of Prattville?" If the voter desires to vote for the adoption of said act such voter shall mark the ballot the word "Yes." If he desires to vote against the adoption of such act the word "No" shall be marked on his ballot. The City of Prattville shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this act shall become operative immediately. If a majority of the votes are "No" this act shall have no further effect. The probate judge of Autauga County shall certify the result of the election to the Secretary of State.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me

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first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, 21, 28, and July 5, all in the year 1973.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me 9th day of July, 1973.

LINDA M. TRAYWICK,
Notary Public.

My commission expires Jan. 6, 1976.

By Messrs. Pruitt and Manley (With Notice and Proof) :

H. 1327. To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

Local Legislation No. 1.

Notice and Proof H. 1327:

STATE OF ALABAMA
COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sumter County Commission is authorized to grant to the tax collector \$2,400 annually to be used for clerk hire, and to grant to the tax assessor \$1,500 annually to be used for clerk hire.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Home Record, a newspaper of general cir-

culatation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, 13 and 20, all in the year 1973.

DAVID T. POYNOR.

Sworn to and subscribed before me 5th July, 1973.

IRA D. PRUITT,
Notary Public.

By Messrs. Manley and Pruitt:

H. 1328. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Local Legislation No. 1.

By Mr. Carter:

H. 1329. This bill exempts the Athens-Limestone Citizens Band Rescue Squad, Incorporated, located in Limestone County, from any state sales and use tax.

Ways and Means.

By Mr. Carter:

H. 1330. Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

Local Legislation No. 1.

By Messrs. Bank, Falkenburg, Fite, McBride, Flippo, Robertson, Culver, Parker, Weeks, Headley, Snell, Turner, Cottingham and Jones (F):

H. 1331. To amend further Code of Alabama 1940, Title 35, Section 12, which relates to military leave for government employees in order to extend payment for military furlough benefits to all employees and to provide for the mandatory reemployment of government employees who are called to active service either by the Alabama National Guard or the armed forces of the United States.

Military Affairs.

By Messrs. Bank, Culver and Pruitt:

H. 1332. Providing foreign medical graduates an alternative method by which to become certified to practice medicine within this state.

Health.

By Mr. Connell:

H. 1333. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for the fiscal year ending September 30, 1973.

Business and Labor.

By Messrs. Dill, Doss, Downing, Meeks, Falkenburg, Manley, Bank, Callahan, Collins, Jackson, Weeks, McBride, Hughes, Erdreich, Lyons, Burgess, Naramore, St. John and Nettles:

H. 1334. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session 1965.

Ways and Means.

By Messrs. Dill, Doss, Falkenburg, Downing, Meeks, Manley, Bank, Callahan, Collins, Jackson, Weeks, McBride, Hughes, Erdreich, Lyons, Burgess, Naramore, St. John and Nettles:

H. 1335. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

Ways and Means.

By Messrs. Grainger, Erdreich, Lutz and King:

H. 1336. To provide that before any person shall hunt wild game birds or animals in this state with any type bow and arrow he shall purchase a special bow hunting license, which shall be in addition to the regular hunting license required of all hunters; providing penalties for violation of this act.

Conservation.

By Mr. Grainger:

H. 1337. To establish the Alabama Board of Hearing Aid Dealers; to provide for licensure of persons who are dealers and fitters of hearing aids; to provide for the regulation of dispensing and fitting of hearing aids to the public; to provide for hearings for persons who are denied a license or have their license suspended by the Alabama Board of Hearing Aid Dealers; to repeal conflicting Acts, especially Act No. 2425, H. 392, Regular Session 1971 (Acts 1971, p. 3858); and to provide for penalties and punishment for violation of any of the provisions of this Act.

Health.

By Messrs. Barkett, Roberts, Lyons, Reed (T), Connell, Crawford, Mims, Snell, Adams, Ellis, McDonald, Grainger, King, Hale, Nettles, Callahan, Waggoner and Easters:

H. 1338. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of The Army; creating the Ala-

bama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Local Government.

By Mr. Boles:

H. 1339. To provide the procedure for a vote of confidence or the recall of elective public officers; to prevent fraud and to provide penalties for violation of any of the provisions of this Act.

Constitution and Elections.

By Messrs. Boles, Dill, Ellis, Hughes, McNair, Erdreich, Weeks, Boutwell, Meeks and McBride (With Notice and Proof):

H. 1340. To amend Act No. 798, H. 486 of the Regular Session of 1965, an Act "Regulating costs and charges of courts in Jefferson County; prescribing the fees and commissions of constables, and repealing conflicting laws," so as to provide that constables shall receive the same fees for certain services prescribed for sheriffs performing like services.

Local Legislation No. 2.

Notice and Proof H. 1340:

NOTICE is hereby given that two bills substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Act. No. 798, H. 486 of the Regular Session of 1965, an Act "Regulating costs and charges of courts in Jefferson County; etc.

To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons on witnesses; and repealing conflicting laws.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of General Circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, and that there was published in said newspaper in the issues of June 2, 9, 16 and 23, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

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Sworn and subscribed to on this the 25th day of June, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Jones (F):

H. 1341. To amend Section 2 of Act No. 2052, S. 122, Legislature of 1971, Regular Session, approved August 26, 1971, which provides maximum finance charges for loans and credit sales, and regulates extensions of credit.

Agriculture.

By Mr. Boles:

H. 1342. Proposing an amendment to the Constitution of Alabama authorizing the formation of a new county out of a part of Jefferson County.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Fite and Grey (D):

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a nonforeclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of

the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

Local Legislation No. 1.

By Messrs. Fite and Grey (D):

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Fite, Hill, Drake, McCluskey, Smith (P), Robertson, Naramore, Carnes, Snell, Wynot, Coshatt, Grey (D), Goodwin, Casey, Williams, Headley, Bank, Falkenburg, Callahan, Cottingham, O'Daniel, Mims, Agee, Kinsey, Benton, May, Hardin, Collins, Barron, Barkett, McBride, McDonald, Merrill and Burgess:

H. 1345. To authorize Alabama Public School and College Authority to sell and issue one hundred twenty million dollars (\$120,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which

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they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Ways and Means.

By Mr. Collins (With Notice and Proof):

H. 1346. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Local Legislation No. 3.

Notice and Proof H. 1346:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section VIII of Act No. 470, H. 952 of the Regular Session of 1939 (Local Acts 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County, Alabama, is hereby amended to read as follows:

Section VIII. The Board shall elect and fix the salary of the Director who shall hold office at the will of the Board. The Board shall prescribe such qualifications as to residence, education and experience as may be necessary in its opinion to fill the position of Director. His salary shall be fixed by the Personnel Board provided such salary shall not exceed the sum of Eighteen Thousand Dollars (\$18,000.00) per annum. The Director's salary shall be payable monthly and as provided in Section 30 hereof. The Director, as executive head of the Department, shall direct and supervise all its administrative and technical activities. It shall be his duty to: (1) Attend all meetings of the Board and provide for recording its official actions, but he shall not have a vote. (2) Appoint from the Employment Register such employees of the Department, and such experts and special assistants as may be necessary to carry out effectively the provisions of this Act; (3) Prepare and recommend rules and regulations for the administration of this Act. (4) Recommend, and on its adoption, establish, administer and execute a Classification Plan for the Classified Service. (5) Submit to the Board a pay plan for all positions in the classified service. (6) Conduct tests, formulate employment registers, and certify persons qualified for appointment; devise and administer employee

service ratings. (7) Examine all payrolls or other compensation for personal services within the classified service with authority to disapprove, from time to time, any item or items thereof, and no such item so disapproved in writing by him shall be paid or authorized for payment. (8) Establish and maintain a roster of all of the officers and employees in the classified service. (9) Make such reasonable investigations pertaining to personnel, salary scales, and employment conditions in the classified service as may be requested by the Board, the Supervisory Committee or by the governing bodies of the county or any city therein. (10) Make investigations concerning the administration and effect of this Act and the rules made thereunder and report his findings and recommendations to the Board. (11) Make an annual report to the Board. (12) Perform any other act or acts required of him under this Act or required of him by the Board which may be necessary or proper to carry into effect its purposes and spirit. The Director may join or subscribe to any association or service or publication having as its purpose the interchange or dissemination or information relating to the improvement of personnel administration. When any person serving as Director has attained age 60, and has served for 20 years or more as such Director, or has served for 20 years or more as such Director and as an officer or employee of any governmental body or agency serviced by the Personnel Department provided for in this Act, may upon his election be retired by the Board, with a retirement allowances equal to but not exceeding fifty percent of the amount of the monthly salary paid him for the high five out of the ten years immediately preceding retirement. In computing such retirement allowance any monthly payment received from any employees' pension or retirement plan organized under the laws of the State of Alabama shall first be deducted from the retirement allowance and the balance shall be payable monthly in the same manner and from the same funds as the salaries and other expenses of the Personnel Department are paid. The minimum age for retirement of any person serving as Director shall be 60 years; provided, that it shall be mandatory for any person serving as Director to retire at 70 years of age; provided further, that any person serving as Director who has attained age 50, who has otherwise qualified for retirement, may be retired by the Board if he becomes physically disabled and incapable of performing his duties.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, June 14, June 21, and June 28, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me July 3, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. McCluskey:

H. 1347. To further amend Code of Alabama of 1940, Title 51, S. 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Ways and Means.

By Messrs. Drake, McDonald and St. John (With Notice and Proof):

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

Local Legislation No. 1.

Notice and Proof H. 1348:

LEGAL NOTICE

A BILL

TO BE ENTITLED

AN ACT

To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, as amended, is further amended to read as follows:

"Section 3. A superintendent of county schools shall be elected by the qualified electors of Cullman County at the general election in November, 1958, and every four years thereafter through the year 1974. At the general election in the year 1974 and every four years thereafter a superintendent of county schools shall be elected by the qualified electors of the five districts established by Section 2 of this Act (as amended). The superintendent of county schools shall take office on the first day of July next succeeding his election. No person shall be eligible for appointment, for political party nomination, or for election to the office of superintendent of county schools who does not hold a Masters degree or equivalent, and does not submit proof to the State Superintendent of Education of at least six years of successful teaching experience preceding his appointment or election. His term of office shall be for four years, and he shall be removed only by impeachment in the manner prescribed by law. He shall receive an annual salary and the necessary expenses of traveling in the performance of his official duties. His salary shall be fixed by the Cullman County Commission on Education, at a sum of not less than seventy-five hundred dollars per annum. After the expiration of the term of office of the superintendent elected at the general election in 1974, the superintendent of county schools must be, at the time of his election or appointment and during his continuance in office, a qualified elector of one of the above mentioned five districts."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me May 11, 1973.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Erdreich, Doss, Boutwell, Ellis, McBride, McNair, Carnes, Wyntot, Wallace, Nettles, Robertson, Meeks, Wood, Cauthen and Adwell:

H. 1349. Relating to income tax exemptions; to exempt from payment of income taxes, certain gains received from the sale of any residence when the gain from such sale is used to purchase a new residence for the seller; and to further provide for exemption from tax for a portion of the gain from the sale of a residence by a person 65 years old or older when no new residence is purchased.

Ways and Means.

By Mr. Smith (K):

H. 1350. To create the Law Enforcement Division of the Department of Conservation and Natural Resources; to prescribe its powers and duties and the funding thereof.

Conservation.

By Messrs. McCorquodale, Lyons and Adams:

H. 1351. To make appropriations from the state treasury to the use of the Department of Conservation and Natural Resources, Game and Fish Division, for purposes of land acquisition and capital outlay for the fiscal years ending September 30, 1974 and 1975.

Ways and Means.

By Messrs. Wood and Nettles (With Notice and Proof):

H. 1352. Relating to Mobile County, authorizing the government of each municipality in the county to contribute public funds for a volunteer rescue squad.

Local Legislation No. 3.

Notice and Proof H. 1352:

LEGAL NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

An act relating to Mobile County, authorizing the government of each municipality in the county to contribute public funds for a volunteer rescue squad.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of any municipality located in Mobile County is hereby authorized to appropriate or expend municipal funds for the purpose of providing contributions for the use of any organized and established volunteer rescue squad operating within Mobile County. After the municipal governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions, payments should be made from municipal funds upon the warrant signed by the Mayor or other presiding officer of the municipal governing body.

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 19, 26, June 2 and 9, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 5th day of July, 1973.

GARY L. RICHARDSON,
Notary Public.

By Messrs. Drake, McDonald and St. John (With Notice and Proof):

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

Local Legislation No. 1.

Notice and Proof H. 1353:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created an office of the clerk of the intermediate court in Cullman County which shall have custody of all records of the intermediate court, and shall consist of the following: The clerk, who shall be bonded as other county officers are, a deputy clerk who shall also serve as clerk of the juvenile court, two assistant clerks, and such other personnel as may hereafter be provided.

Section 2. All personnel of such office shall serve at the pleasure of the judge of the intermediate court of Cullman County, and the salaries of all such personnel shall be fixed by the judge of the intermediate court, but in no event shall such salaries be more than the following: For the clerk, \$6,800.00 for the deputy clerk, \$6,000.00, for one assistant clerk, \$4,200.00, for the other assistant clerk, \$3,600.00. Such salaries to be paid from the general fund of the county.

Section 3. All of the personnel of such office shall perform secretarial duties for the judge of the intermediate court and such other duties assigned to them by the judge of the intermediate court which are necessary to carry out the duties of the office; such clerks as are necessary may be designated as warrant clerks by the judge and such clerks shall have the power to issue all misdemeanor warrants and John Doe felony warrants.

Section 4. The governing body of Cullman County shall provide an intermediate courtroom, office for the judge and clerk of such court, record keeping rooms and such furniture, and other funds as are necessary for the functioning of such court.

Section 5. The personnel to serve in the office of the clerk of the intermediate court, created by this act, shall be in lieu of any other personnel heretofore created to assist the intermediate court.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me June 26, 1973.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Drake, St. John and McDonald (With Notice and Proof):

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

Local Legislation No. 1.

Notice and Proof H. 1354:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several offices in that county.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cullman County is required, authorized and empowered to provide sufficient equipment, clerks, deputies, or other assistants, and any other allowances for the several county officers in Cullman County, but the individual officer shall select, discharge, and fix the compensation of such clerks, deputies and assistants as may serve in his respective office, but the combined salaries or compensation of such clerks, deputies and assistants selected by him shall not exceed such sum as the county governing body of Cullman County shall allow therefor.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me June 26, 1973.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Drake, McDonald and St. John (With Notice and Proof):

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Local Legislation No. 1.

Notice and Proof H. 1355:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body in Cullman County is hereby authorized and empowered to appropriate out of any moneys in the treasury not otherwise appropriated, and to expend not exceeding the sum of five hundred dollars (\$500.00) per annum for any purpose not otherwise provided for by law, that in their judgment are worthy and for the best interest of the county, the fund hereby authorized to be known as the "contingent fund." Provided, however, the expenditures herein provided shall first be authorized by the governing body of the county in a resolution spread upon its minutes.

Section 2. Under the provisions of Section 1, not more than five hundred dollars (\$500.00) shall be appropriated and expended in any one year; and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as will together with the sum so remaining unexpended bring the contingent fund up to the sum of five hundred dollars (\$500.00).

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Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF CULLMAN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me May 11, 1973.

**CHARLOTTE MILLER,
Notary Public.**

By Messrs. Drake, Smith (P), St. John and McDonald:

H. 1356. To further amend Sections 2 and 8 of Act #46 Second Special Session 1955 so as to conform to the Federal Egg Products Inspection Act, and to further insure the highest quality eggs for the consumers.

Agriculture.

By Messrs. Erdreich, Doss, Boutwell, Ellis, McBride, Dill and Snell:

H. 1357. To provide for the registration or holding of securities held by a corporate fiduciary in its name or in the name of a nominee of such fiduciary so as to permit corporate fiduciaries to cause any stock or other security held in such capacity to be held separate from the assets of other fiduciary accounts or to be merged and held in bulk with like securities held in such capacity for other fiduciary accounts.

Banking.

By Messrs. Falkenburg, Doss, Weeks, McBride, Meeks, Waggoner, Boutwell, Wallace, Hughes, Timmons, Ellis, Adwell, McNair and Boles:

H. 1358. To name and designate a certain structure in the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham as the "Spain Tower."

Health.

By Messrs. Robertson and Culver:

H. 1359. To provide that the doctrine of sovereign or governmental immunity shall not prohibit suits against, or recovery from hospitals operated by the state of Alabama or any subdivision thereof; to provide that the provisions of this act shall not apply to hospitals operated by the State Mental Health Department or to hospitals or sanatoriums for the treatment of tuberculosis operated by the state of Alabama or any subdivision thereof.

Health.

By Messrs. Culver, Bank, Parker and Robertson:

H. 1360. To create the office of license inspector in all counties having populations of not less than 115,000 and not more than 150,000, according to the most recent federal decennial census; to provide for the supervision of such office by the governing body of such counties; to authorize the governing body of such counties to provide for certain personnel and duties of such office and for salaries; to repeal Section 18 of Act No. 1292, H. 1795, Regular Session 1971 (Acts 1971, p. 2220).

Local Legislation No. 1.

By Messrs. Culver, Bank, Robertson and Parker:

H. 1361. To provide for compensation of Deputy District Attorneys No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit.

Ways and Means.

By Messrs. Drake, McDonald and St. John (With Notice and Proof):

H. 1362. Applying to Cullman County; to increase the expense allowance of certain county officers.

Local Legislation No. 1.

Notice and Proof H. 1362:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Applying to Cullman County; to increase the expense allowance of certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The county officers listed herein below of Cullman County shall be entitled to receive an annual expense allowance in the amount indicated for the respective officer, which shall be in addition to any and all other salary, compensation or allowances now received by such officer, payable in 12 monthly installments out of the general fund of the county.

Intermediate Court Judge	\$2300
Tax Collector	\$2300
Tax Assessor	\$2300
Judge of Probate	\$1100
Clerk of the Circuit Court	\$2700
Register of the Circuit Court	\$1300
Chairman of the County Governing Body	\$3200

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Each associate member of the County Body	\$1200
Each member of the Cullman	
County Commission on Education	\$ 240

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me June 26, 1973.

CHARLOTTE MILLER,
Notary Public.

By Mr. Adams (With Notice and Proof):

H. 1363. Relating to Russell County; to change the method of compensating the judge of probate, the tax assessor, the tax collector, the circuit clerk and the register in equity; to provide for the consolidation of the offices held by the circuit clerk and the register in equity; and to fix the compensation for each of such officers, subject to the ratification of a constitutional amendment.

Local Legislation No. 1.

Notice and Proof H. 1363:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; to change the method of compensating the judge of probate, the tax assessor, the tax collector, the circuit clerk, and the register in equity; to provide for the consolidation of the offices held by the circuit clerk and the register in equity; and to fix the compensation for each of such officers, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The circuit clerk of Russell County shall become ex officio register in equity for said county, and all powers and duties of the register shall be conferred on and shall be exercised by the circuit clerk of Russell County.

Section 2. The following officers of Russell County shall be entitled to receive compensation as follows:

- (a) for the judge of probate, an annual salary of \$25,00.00;
- (b) For the tax assessor, an annual salary of \$20,000;
- (c) For the tax collector, an annual salary of \$20,000;
- (d) For the clerk of the circuit court for the performance of the duties of his office as clerk, and for the duties as register in equity, an annual salary of \$20,000.

Such salaries shall be paid in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund in the county treasury.

Section 3. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the judge of probate, tax assessor, tax collector, circuit clerk and register in equity, hereafter shall be collected and paid into the general fund of the county.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act shall become effective on the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the Legislature to so regulate the compensation of such officers has been ratified and proclaimed as prescribed by law; provided that as to the tax assessor and tax collector, the provisions of this act shall become effective upon the expiration of the term for which they were elected in November, 1972; and provided further should there be constitutional or statutory prohibitions preventing any of the other public officers named herein from receiving such prescribed compensation as of such date, the provisions of this act shall become effective as to them immediately following the date upon which such prohibition expires.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

JANE GULLATT.

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Sworn to and subscribed before me July 5, 1973.

CAROLYN S. DUDLEY,
Notary Public.

By Mr. Adams (With Notice and Proof):

H. 1364. Relating to Russell County; to further regulate and fix the compensation of chief clerks, deputy clerks and clerks employed by the judge of probate, tax assessor, tax collector and circuit clerk; to authorize such officers to employ additional full time clerks and temporary clerks and to fix the compensation for such additional clerks; and to provide that all such compensation shall be paid out of county funds.

Local Legislation No. 1.

Notice and Proof H. 1364:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; to further regulate and fix the compensation of chief clerks, deputy clerks and clerks employed by the judge of probate, tax assessor, tax collector and circuit clerk; to authorize such officers to employ additional full time clerks and temporary clerks and to fix the compensation of such additional clerks; and to provide that all such compensation shall be paid out of county funds.

Be It Enacted by the Legislature of Alabama:

Section 1. The chief clerk of the judge of probate authorized by Local Act No. 74, H. 378, Regular Session 1943 (Local Acts 1943, p. 40) shall be paid a salary of not more than \$7,200.00 per year. The clerk in addition to the chief clerk authorized by Local Act No. 186, H. 192, Regular Session 1967 (Acts 1967, p. 236) shall be paid a salary of not more than \$5,400.00 per year. In addition to such chief clerk and clerk, the probate judge is hereby authorized to appoint and employ four additional clerks. Such additional clerks shall serve at the pleasure of the judge of probate, and shall perform such duties as the judge of probate may prescribe. Two of the additional clerks so employed shall be paid a salary of not more than \$4,800.00 per year and the remaining two additional clerks so employed shall be paid a salary of not more than \$4,200.00 per year. The salaries authorized by this section shall be fixed by the judge of probate.

Section 2. The deputy tax assessor authorized by Local Act No. 16, H. 120, Regular Session, 1943 (Local Acts 1943, p. 9) shall be paid a salary of not more than \$7,200.00 per year. The additional clerk for the tax assessor authorized by Local Act No. 190, H. 196, Regular Session, 1967 (Acts 1967, p. 238) shall be paid a salary of not more than \$5,400.00 per year. In addition to such clerk, the tax assessor is hereby authorized to appoint and em-

ploy one additional clerk. Such additional clerk shall serve at the pleasure of the tax assessor and shall perform such duties as the tax assessor may prescribe. Such additional clerk so employed shall be paid a salary of not more than \$4,800.00 per year. The salaries authorized by this section shall be fixed by the tax assessor.

Section 3. The deputy tax collector authorized by Local Act No. 16, H. 120, Regular Session, 1943 (Local Acts 1943, p. 9) shall be paid a salary of not more than \$7,200.00 per year which shall be fixed by the tax collector.

Section 4. The deputy circuit clerk authorized by Local Act No. 75, H. 379, Regular Session 1943 (Local Acts 1943, p. 41) shall be paid a salary of not more than \$6,600.00 per year. The additional deputy clerk to serve as deputy register authorized by Local Act No. 185, H. 191, Regular Session 1967 (Acts 1967, p. 235) shall, when so appointed and employed, be paid a salary of not more than \$6,000.00 per year. In addition to such deputy clerks, the circuit clerk is hereby authorized to appoint and employ one additional clerk. Such additional clerk shall serve at the pleasure of the circuit clerk and shall perform such duties as the circuit clerk may prescribe. Such additional clerk so employed shall be paid a salary of not more than \$4,200.00 per year. The salaries authorized by this section shall be fixed by the circuit clerk.

Section 5. The judge of probate, tax assessor and tax collector are each hereby authorized to employ part time clerks for clerical assistance when required for the efficient operation of their respective offices, provided that the total compensation for such part time clerks for each office shall not exceed \$2,000.00 in any one year.

Section 6. The salaries authorized and fixed by this act shall be paid out of the general fund in the county treasury in twelve monthly installments.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are repealed.

Section 9. The provisions of this act shall become effective as to each of the offices of judge of probate, tax assessor, tax collector and circuit clerk respectively, on the effective date of a law enacted at the current session of the legislature providing for the compensation of the respective officers of Russell County on a salary basis.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost

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to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

JANE GULLATT.

Sworn to and subscribed before me July 5, 1973.

CAROLYN S. DUDLEY,
Notary Public.

By Mr. Adams:

H. 1365. To amend the title and Section 1 of Act No. 109, H. 123, Third Special Session 1971 (Acts 1971, p. 4334), which authorizes the district attorney having jurisdiction in certain counties on a population basis to appoint investigators.

Local Legislation No. 1.

By Mr. Lang (With Notice and Proof):

H. 1366. Relating to Pickens County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 1366:

STATE OF ALABAMA
COUNTY OF PICKENS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

To Be Enacted by the Legislature of Alabama:

Section 1. The sheriff of Pickens County shall be entitled to keep and retain the allowances to January 18, 1971, and all actions taken by the active ances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, Euteal V. Junkin, a Notary Public in and for said County, personally appeared Daisy J. Junkin, Publisher of The Pickens County Her-

ald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows: June 14, 21, 28 and July 5, 1973.

DAISY J. JUNKIN.

Subscribed and sworn to before me, this the 7th day of July, 1973.

EUTEAL V. JUNKIN,
Notary Public.

By Mr. Callahan (With Notice and Proof):

H. 1367. Relating to Mobile County, to increase the compensation of election officials in such county.

Local Legislation No. 3.

Notice and Proof H. 1367:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County, to increase the compensation of election officials in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Mobile County, the compensation of the election officers holding general, special, primary and municipal elections shall be \$25.00 per day for clerks, and \$40.00 per day for inspectors. The returning officer shall be entitled to mileage according to law in addition to his per diem as is provided for in Act No. 263, S. 222, Special Session 1961 (Acts 1961, p. 2280). The Mobile County treasury shall not be reimbursed for the amount by which the above described compensation exceeds the compensation prescribed for certain elections by Title 17, Section 427, Code of Alabama, 1940.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me July 3, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Lang (With Notice and Proof):

H. 1368. To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1368:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Reform, Pickens County, Alabama, be and the same hereby are altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the Town of Reform, Alabama, and to add thereto certain property, said corporate limits to be defined as follows after said addition:

Begin at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 32, thence run south one mile to a point, said point being the Southwest corner of the Northwest Quarter of the Northwest

Quarter of Section 5; thence go East along this line one mile to a point, said point being the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 5; thence run north one mile along this line to a point, said point being the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 33; thence run East one and three-fourths miles along this line to the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 34; thence North along this line one mile to the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 27; thence West one and one fourth miles to the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 28; thence North along this line one and one fourth miles to the Northeast corner of the Northwest Quarter of Section 21 to a point; continue one mile North to the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 16; thence West along this line one mile to the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 17; thence South along this line to the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 20; run thence West to the Southwest corner of the Southwest Quarter of Section 17, continue West one mile to the Northwest corner of the Northwest Quarter of Section 19; thence South one and one fourth miles to the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 30; thence East one mile along this line to the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 29; thence South one mile along this line to the point of beginning, all being in Township 19 South, Range 14 West., in Pickens County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA PICKENS COUNTY

Before me, Euteal V. Junkin, a Notary Public in and for said County, personally appeared Daisy J. Junkin, Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows: May 31, June 7, 14 and 21, 1973.

DAISY J. JUNKIN.

Subscribed and sworn to before me, this the 26th day of June, 1973.

EUTEAL V. JUNKIN,
Notary Public.

By Messrs. Falkenburg, Dill, Downing, Bank, McBride, Manley, Culver, Doss, Timmons, Erdreich, St. John, Naramore, Meeks and McNair:

H. 1369. Disqualifying any judge, district attorney, or solicitor who is indicted for a felony from performing the duties of his office; authorizing the Supreme Court of Alabama to appoint a temporary replacement.

Judiciary.

By Mr. Edwards (With Notice and Proof):

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 1370:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LOWNDES

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Lowndes County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1973.

CECIL B. CROSS, JR.

Sworn to and subscribed before me June 27, 1973.

A. D. NORMON,
Notary Public.

By Mr. Edwards:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Wise, Jackson and Barkett:

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Local Legislation No. 1.

By Messrs. Wise, Jackson and Barkett:

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Wise, Jackson and Barkett:

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Mims, Warren, Kinsey, Jackson, Bassett and McCorquodale:

H. 1375. To require the State Highway Department to participate in the salary of one Assistant to the County Engineer in each County upon application of the County Commission or other like governing body in an amount equal to fifty (50%) percent of the annual salary of such Assistant not to exceed Five Thousand (\$5,000.00) Dollars per annum and to establish qualifications for such Assistant to the County Engineer.

Ways and Means.

By Messrs. Hill and Flippo:

H. 1376. To authorize each circuit judge of the Eleventh Judicial Circuit to appoint a bailiff-law assistant or alternatively to appoint two other bailiffs; to provide for the compensation, duties and payment of such bailiffs.

Local Legislation No. 1.

By Messrs. Hill and Flippo:

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

Local Legislation No. 1.

By Messrs. Boles, Doss, Boutwell, Hughes, Ellis, Dill, McNair, McMillan, Falkenburg, Wallace, Erdreich, Waggoner, McBride and Timmons:

H. 1378. To provide for the regulation of strip mining of coal in all counties in the State of Alabama of population of 600,000 or more according

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to the last federal decennial census based on the number of tons of strip mined coal produced in such counties and to provide for the reclamation and revegetation of lands and rebuilding of roads affected by such operations in said county; to prescribe the powers and duties of the Commissioner of the State Department of Conservation and Natural Resources in connection with strip mining; to prescribe conditions for the issuance of permits; to require bonds and prescribe conditions for forfeiture thereof; to levy an excise or privilege tax on every person engaging in strip mining coal in said county, to prescribe the rate thereof and the use of the proceeds; to create a land reclamation fund for the purposes of this Act; to provide a review procedure; to prescribe penalties for violations and provide for the enforcement of the provisions of this Act.

Local Legislation No. 2.

By Messrs. Hill and Flipppo:

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

Ways and Means.

By Messrs. McDonald, St. John and Drake:

H. 1380. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Local Legislation No. 1.

By Messrs. Erdreich, Doss, Boutwell, Boles, Hughes, Waggoner, Weeks, Dill, McMillan, McNair, Jones (E), Ellis and McBride (With Notice and Proof):

H. 1381. Further providing for the service of process by constables issued by the courts in Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1381:

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Further providing for the service of processes by Constables issued by the Courts in Jefferson County, Alabama.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly

sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of General Circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of June 16, 23, 30 and July 7, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,

Publisher.

Sworn and subscribed to on this the 9th day of July, 1973.

KAREN W. ABERCROMBIE,

Notary Public.

By Mr. Hale:

H. 1382. To provide for the offense of burglary in the third degree (breaking and entering) and to provide the punishment for said offense.

Judiciary.

By Mr. Hale:

H. 1383. To provide for the definition of aggravated assault offenses and to provide the punishment for the same.

Judiciary.

By Messrs. Cauthen, Lyons, Jones (F), Bank, Fite, Mims, Taylor, Collins, Williams, O'Daniel, Harris, Benton, Wise, May, Headley, McCorquodale, McDonald, Jackson, Lang, Callahan, Kinsey, Cross, Falkenburg, Manley, Hill, Barkett, Cottingham, King, Weeks, Pruitt, Carter, Smith (P), Flippo, Naramore, Dill, Hughes, Meeks, Grainger, Culver, Robertson, Owens, Nettles, Stokes, Roberts, Hale, Merrill, Erdreich and Ellis:

H. 1384. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries of compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Ways and Means.

By Messrs. Cauthen and Williams:

H. 1385. To provide for the creation of public corporations as political subdivisions of the State by initiation of City and County governments within the various counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the Judge of Probate in the County where the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with the Judge of Probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other State and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Local Government.

By Mr. Turnham (With Notice and Proof):

H. 1386. To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, P. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

Local Legislation No. 1.

Notice and Proof H. 1386:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, P. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, P. 406), as amended, is further amended to read as follows:

"Section 1. The Lee County Commission shall provide the sheriff of the county with one chief deputy, two assistant chief deputies, two investigators, eight assistant deputies, four jailers, one chief deputy clerk and one assistant deputy clerk. The number of deputies may be employed at the discretion of the Lee County Commission.

"The chief deputy shall receive not less than seven hundred dollars (\$700.00) nor more than eight hundred dollars (\$800.00) monthly; the assistant chief deputies shall receive not less than six hundred dollars (\$600.00) nor more than seven hundred dollars (\$700.00) monthly; the investigators shall receive not less than six hundred and fifty dollars (\$650.00) nor more than seven hundred and fifty dollars (\$750.00) monthly; each assistant deputy shall receive not less than five hundred and fifty dollars (\$550.00) nor more than six hundred and fifty dollars (\$650.00) monthly; each jailer shall receive not less than Four hundred nor more than five hundred! (\$500.00) monthly; the chief deputy clerk shall receive not less than four hundred and fifty dollars (\$450.00) nor more than five hundred and fifty dollars (\$550.00) monthly; and the assistant deputy clerk shall receive not less than four hundred and fifty dollars (\$450.00) nor more than five hundred and fifty dollars (\$550.00) monthly. These salaries are to be paid out of the general fund of the county."

Section 2. All laws or parts of laws which conflict with tis Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. L. Blackmon, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Opelika-Auburn Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, 21, 28, and July 5, all in the year 1973.

W. L. BLACKMON.

Sworn to and subscribed before me July 9, 1973.

DOROTHY W. MITCHELL,
Notary Public.

By Mr. Turnham:

H. 1387. To authorize the governing body of any county with populations of not less than 60,000 nor more than 65,000, according to the most re-

cent federal decennial census, to provide for the re-registration of electors of such counties; to provide procedures for such re-registration.

Local Legislation No. 1.

By Mr. Turnham:

H. 1388. Relating to counties having populations of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census, authorizing the governing bodies of such counties to provide an allowance of not less than \$600.00 nor more than \$700.00 per month for a computer operator serving all county offices in such counties, to be paid from the general funds of such counties.

Local Legislation No. 1.

By Mr. Turnham:

H. 1389. To further amend Section 355 of Title 52, Code of Alabama 1940, so as to further define the procedure by which teachers may be transferred.

Education.

By Messrs. Turnham, McCorquodale, Fite, Drake, Mims, Bank, Agee, Williams and Crawford:

H. 1390. To further amend Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to raise the sales tax exemption on certain products sold from vending machines.

Ways and Means.

By Messrs. Parker, Robertson, Culver and Bank:

H. 1391. To establish and provide for a Schedule of compensation for Deputy District Attorneys for the Sixth Judicial Circuit.

Ways and Means.

By Messrs. Agee and McCorquodale (With Notice and Proof):

H. 1392. To levy in Choctaw County a county privilege tax upon the leasehold interest of every person engaging in the business of producing or severing oil, with a gravity of 25° or higher, American Petroleum Institute Scale, or gas or other hydrocarbons, with a gravity of 25° or higher, American Petroleum Institute Scale, from the soil or the waters, or from beneath the soil or the waters of Choctaw County, which tax shall be in addition to all other taxes, including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, P. 20) or Act No. 205, H. 451, approved October 1, 1971, (Acts 1971, P. 3317) to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used in the general fund of Choctaw County; and to prescribe additional penalties for certain violations.

Local Legislation No. 1.

Notice and Proof H. 1392:

NOTICE

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
ENTITLED TO BE
AN ACT

To levy in Choctaw County a county privilege tax upon the leasehold interest of every person engaging in the business of producing or severing oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas or other hydrocarbons, with a gravity of 25 degree or higher, American Petroleum Institute Scale, from the soil or the waters, or from beneath the soil or the waters of Choctaw County, which tax shall be in addition to all other taxes, including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, P. 20) or Act No. 205, H. 451, approved October 1, 1971, (Acts 1971, P. 3317) to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used in the general fund of Choctaw County; and to prescribe additional penalties for certain violations.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The word "department means the state department of revenue. (b) the word "county" means Choctaw County, Alabama. (c) The word "annual" means the calendar year, of the taxpayer's fiscal year, when permission is obtained from the department to use a fiscal year as a tax period in lieu of a calendar year. (d) The word "value" means the sale price or market value at the mouth of the well. If the oil or gas is exchanged for something other than cash, or if there is no sale at the time of severance, or if the relation between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the department shall determine the value of the oil or gas subject to the tax herein-after provided for, considering the sale price for cash of oil or gas of like quality. (e) The word "oil" means crude petroleum oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, and other hydrocarbons, with a gravity of 25 degree or higher, American Petroleum Institute Scale, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the well. (f) The word "gas" means all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in sub-section (e) above. (g) The word "severed" means the extraction or withdrawing from the soil or water or from below the surface of the soil or water of any oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas, whether such extraction or withdrawal shall be by natural flow mechanically enforced

flow, pumping, or any other means employed to get the oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas, from the soil or water or from below the surface of the soil or water. (h) The word "person" means any natural person, "firm, co-partnership, joint venture, association, corporation, estate, trust, any other group or combination acting as a unit, and the plural as well as the singular number. (i) The word "producer" means any person engaging or continuing in the business of oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas production in Choctaw County which, for the purpose of this act, includes the owning, controlling, managing, or leasing any oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas property or oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas well; and producing in any manner any oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas by taking it from the soil or waters, or from beneath the soil or waters of Choctaw County. (j) The words "leasehold interest" means the interest of person holding as a grantee or lessee under an oil and gas lease or lease of oil, gas and other minerals. Such interest includes the right on the part of the lessee to drill and produce, and is subject to the payment to the lessor of a royalty of a stated fraction or percentage of the production, free of operating expense, either in kind or at the prevailing price at the time of production.

Section 2. (a) In addition to the state privilege tax levied upon persons engaging in the business of producing or severing oil, with a gravity of 25 degree or higher, American Petroleum Institute Scale, or gas or other hydrocarbons, with a gravity of 25 degree or higher, American Petroleum Institute Scale, from the soil or waters of this state pursuant to Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, P. 20) or Act No. 205, H. 451, approved October 1, 1971, (Acts 1971, P. 3317), there is hereby levied, and to be collected as hereinafter provided, annual privilege taxes upon the leasehold interest of every person engaging or continuing to engage within Choctaw County, Alabama, in the business of producing or severing oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters of said County, for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of one per cent of the gross value of said oil or gas at the point of production.

(b) The tax is hereby levied upon the basis of the entire production derived from the leasehold interest in Choctaw County, on which production the amount of such tax shall be a lien, regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state or county; and the tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or waters of said county, and in its natural, unrefined or unmanufactured condition.

Section 3. (a) The privilege tax hereby imposed in Choctaw County is levied upon the producers of such oil or gas in the proportion of their ownership at the time of severance, but, except as otherwise herein provided, the tax shall be paid by the person in charge of the production operations in said county who is hereby authorized, empowered, and required to deduct from any amount due to producers of such production at the time of severance, the proportionate amount of the tax herein levied before making payments to such producers. The tax shall become due and payable as provided by this act; and such tax shall constitute a first lieu upon any of the oil or gas so pro-

duced when in the possession of the original producer or any purchaser of such oil or gas in its unmanufactured state or condition. In the event the person in charge of production operations fails to pay the tax, then the department shall proceed against the producer to collect the tax in the manner hereinafter provided by this act.

(b) When any person in charge of production operations shall sell the oil or gas produced by him, the purchaser shall account for the tax.

(c) When any person in charge of production operations shall use or dispose of the oil or gas as defined herein for fuel or any other purpose, he shall withhold the tax imposed by this act; and, if he is required to pay other interest holders, he is hereby authorized, empowered, and required to deduct from any amounts due them the amount of tax levied and due under the provisions of this act before making payment to them.

(d) Every person in charge of production operations by which oil or gas is severed from the soil or waters, or from beneath the soil or waters, of said county who fails to deduct and withhold, as required herein, the amount of tax from sale or purchase price when such oil or gas is sold or purchased under contract or agreement, or on the open market, or otherwise, shall be liable for the full amount of taxes, interest, and penalties due and the department shall proceed to collect the tax from the person in charge of production operations, under the provisions of this act, as if he were the producer of the oil or gas.

Section 4. The state department of revenue is hereby authorized and directed to administer and enforce the provisions of this act and to collect all of the taxes levied under the provisions herein. To that end said department is authorized to promulgate and enforce all necessary rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue relating to assessments and the manner and time of payment of the tax levied by Act No. 2, H. 47, approved May 19, 1945 (General Acts 1945, P. 20), as amended or Act No. 205, H. 451, approved October 1, 1971, (Acts 1971, P. 3317) requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The department of revenue is hereby authorized to charge the county for collecting the special tax levied by this act whenever said department incurs costs therefor which are in addition to the costs for collecting the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945, or Act No. 205, H. 451, approved October 1, 1971, (Acts 1971, P. 3317) as amended. The amount charged shall be such amount as the commissioner of revenue and the county governing body shall agree upon, but shall not exceed five (5) per cent of the amount collected. Such charges, if any, for collecting the taxes for the county may be deducted each month from the proceeds of the taxes collected before certifying the amount thereof due the county for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue. On or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the

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state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Choctaw County during the month immediately preceeding the making of such certificate. Provided, that before certifying the amount of taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in such month any charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the treasurer or custodian of Choctaw County general funds. Funds in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of Choctaw County.

Section 7. Any party making or participating in a false return made under the provisions of this act or incorporated herein shall be guilty of perjury and upon conviction shall be punished in the manner prescribed by law.

Section 8. If it is brought to the attention of the department that any producer is guilty of violating any of the provisions of this act, the department is hereby authorized and required, through lawfully authorized counsel, to proceed in the courts of the State to obtain a writ of injunction, which writ shall be granted by the court which applied for in the manner prescribed by law. The department, however, is hereby relieved of the requirement to furnish bond of any character.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective on October 1, 1973 upon its approval by the governor or otherwise becoming a law.

STATE OF ALABAMA
CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Legal as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date June 14, 1973, and ending with the issue dated July 5, 1973. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

Sworn and subscribed to before me this, the 9th day of July, 1973.

NELL F. EZELL,
Notary Public.

By Messrs. Agee and McCorquodale:

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no estab-

lished emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

Local Legislation No. 1.

By Mr. Agee (With Notice and Proof) :

H. 1394. To abolish the Fall turkey hunting season and to extend the Spring turkey hunting season in Washington County; to provide punishment for violation of this act.

Conservation.

Notice and Proof H. 1394:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WASHINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the Fall turkey hunting season and to extend the Spring turkey hunting season in Washington County; to provide punishment for violation of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Fall turkey hunting season in Washington County is hereby abolished. The Spring turkey hunting season of said county is to begin March 15 and end April 30, unless set for a longer period by the Department of Conservation and Natural Resources.

Section 2. Violations of the provisions of this act will be subject to the provisions of Title 8, Section 87, Alabama Code 1940.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without

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cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, June 14, June 21, and June 28, all in the year 1973.

DALTON JACKSON.

Sworn to and subscribed before me June 29, 1973.

ANNETTE R. BAXTER,
Notary Public.

By Mr. Taylor:

H. 1395. To empower Municipal and/or Recorders Courts in municipalities having now or hereafter having a population of not less than 70,000 persons, nor more than 180,000 according to the last or any subsequent federal census, to suspend sentences and/or grant probation under certain conditions.

Local Legislation No. 4.

By Mr. Coshatt (With Notice and Proof):

H. 1396. To authorize establishment of branch banks in the City of Pell City in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 1396:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize establishment of branch banks in the City of Pell City in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank whose principal place of business is located in the corporate limits of Pell City in St. Clair County is hereby authorized to establish, maintain and operate within the corporate limits of such municipality one or more branches, branch banks or places of business, provided that such bank, before the establishment of any additional such branches, shall first secure the consent of the Superintendent of Banks of the State of Alabama.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Book-keeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, June 14, June 21, and June 28, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 9, 1973.

ANNE T. MILAM,
Notary Public.

By Messrs. Coshatt and Reid (R):

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Local Legislation No. 1.

By Mr. Coshatt (With Notice and Proof):

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

Local Legislation No. 1.

Notice and Proof H. 1398:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief, deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

Be It Enacted by the Legislature of Alabama:

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Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of \$8,400 per annum. Other Deputies serving in the office of the sheriff of said county shall each receive an annual salary of \$7,800 per annum. The salaries of the chief deputy and other deputies shall be paid in equal monthly installments out of the general fund of the county.

Section 2. The sheriff of St. Clair County is hereby authorized to employ two additional deputies when the county commission deems the employment of such deputies is feasible.

Section 3. All laws and parts of laws in conflict herewith are hereby repealed. Act No. 218, S. 248, Regular Session 1955 (Acts 1955, p. 529), Act No. 124, H. 154, 1st Special Session 1964 (Acts 1964, p. 180), Act No. 95, H. 159, Regular Session 1969 (Acts 1969, p. 377), and Act No. 124, H. 304, Regular Session 1971 (Acts 1971, p. 403), are specifically repealed.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act shall be retroactive to March 1, 1973, and the Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF ST. CLAIR**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Book-keeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 9, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Coshatt (With Notice and Proof):

H. 1399. To amend Section 9 of Act no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

Local Legislation No. 1.

Notice and Proof H. 1399:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 9 of Act no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act. no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), is hereby amended to read as follows:

"Section 9. Each associate member of the county commission shall be nominated and elected by the electors of the entire county. The associate member elected to place number one shall be a qualified elector and resident of district one which shall be comprised of Beats 1, 2, 5, 6, 8, 18, and 22. The associate member elected to place number two shall be a qualified elector and resident of district two which shall be comprised of Beats 4, 16, 17, 23, 25 and 26. The associate member elected to place number three shall be a qualified elector and resident of district three which shall be comprised of Beats 3, 9, 10, 11, 12, 19, 20, and 21. The associate member elected to place number four shall be a qualified elector and resident of district four which shall be comprised of Beats 13, 14 and 15. Each associate member shall reside continuously in their respective districts during their term of office."

Section 2. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Book-keeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 9, 1973.

ANNE T. MILAM,
Notary Public.

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By Mr. Coshatt (With Notice and Proof):

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 1400:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Springville in St. Clair County are hereby altered, rearranged and extended so as to include within the corporate area now embraced within the corporate limits of the town, the following described property;

That portion of Sec. 32, Twp. 14 South, Range 2 East North of Alabama Great Southern Railroad right-of-way; except the $W\frac{1}{2}$ of $NW\frac{1}{4}$ THEREOF.

$SE\frac{1}{4}$ of Sec. 29, Twp. 14 South, Range 2 East, except that portion south of the Alabama Great Southern Railroad.

$S\frac{1}{2}$ of Sec. 28, Twp. 14 South, Range 2 East, except that portion south of the Alabama Great Southern Railroad.

$SW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 27, Twp. 14 South, Range 2 East.

$NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 34, Twp. 14 South, Range 2 East.

All in St. Clair County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Book-keeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in

said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 9, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Downing:

H. 1401. To amend Act Number 755 of the Regular Session of the Legislature of 1967 as amended by Act 1943 of the 1971 Regular Session of the Legislature relating to Supernumerary Tax Assessors, Collectors, License Commissioners and other officials by changing their requirements, qualifications and compensation.

Ways and Means.

By Messrs. Naramore and Crowe (With Notice and Proof):

H. 1402. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1402:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

SYNOPSIS: This bill will permit any bank having a place of business in Walker County, Alabama, to maintain additional offices in Walker County, Alabama.

A BILL
TO BE ENTITLED
AN ACT

To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank authorized to engage in the banking business in Walker County, Alabama and having an office or place of business in Walker County, Alabama, shall have the power to establish, maintain and operate within the limits of such county, one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or additional place of business, shall first meet the requirements of the appropriate regulatory banking authorities.

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Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, June 11, June 18, and June 25, all in the year 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me June 25, 1973.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Turnham, Ellis, Drake, Bassett, Reed (T), Hardin, May, Benton, Brassell, Lang, Connell, Crawford, Snell, Smith (K), Edwards, McCorquodale, Smith (P), Jackson and Barkett:

H. 1403. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement.

Ways and Means.

By Messrs. Grainger, Lutz, King and Hale:

H. 1404. To transfer certain historic property commonly referred to as "Constitution Park" and located in Huntsville, Madison County, Alabama, owned by the State of Alabama, or any department or entity thereof, to the Alabama Historical Commission.

Conservation.

By Messrs. Merrill, Burgess, Gray (F), Fite, St. John, Lyons, Bank, Robertson, Bowers, Culver, Parker, Boutwell, Casey, Wood, Carter, Stokes, Roberts, McDonald, Drake, Collins, Downing, Cauthen, Stewart, O'Daniel, Harris, Taylor, Barkett, Brassell, Wise, Grainger, Adwell, King, Manley, Williams, Hill, Reynolds, Grey (D), Coshatt, Wynot, Erdreich, Weeks, McBride, Waggoner, Reid (R), Goodwin, McCluskey, Smith (P), Adams, Snell, Jackson, Doss, Hardin, May, Nettles, Mc-

Corquodale, Mims, Turnham, Hale, Hobbie, Callahan, Waldrop, Headley, Crowe, Owens and Kinsey:

H. 1405. To provide that any person in this state at the arrival at the age of eighteen years shall be relieved of their disabilities of minority.

Judiciary.

By Mr. Grainger:

H. 1406. To permit local governmental units and boards of education and school superintendents to cooperate in order to establish and operate joint educational facilities and services, and to regulate contracts relative thereto.

Education.

By Messrs. Lutz, King, Grainger and Hale (With Notice and Proof):

H. 1407. Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Local Legislation No. 4

Notice and Proof H. 1407:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 661 of the 1957 Regular Session is hereby amended to read as follows:

"Section 9. The rules of procedure governing proceedings in the Circuit Courts of the State of Alabama shall apply in all civil and criminal cases brought in the Madison County Court, except as herein otherwise stated. All parties against whom judgements have been rendered shall have ten days within which to effect appeals to the circuit court, where trial may be had by jury when demanded as though the case had been originally brought in the circuit court. In all civil cases of judgement by default the judge may at his discretion set aside said judgement when requested to do so by the defendant within five days after such judgement is rendered. In civil cases when an execution has been issued within twelve months after the rendition of judgement and has not been returned satisfied, an alias execution may be issued thereon at any time within ten years from date of such judgement without a revival of the judgement. When a certificate of judgement has been filed in the office of

the probate judge within twelve months from the date of its rendition, execution may issue thereon at any time within ten years from the date of such judgement, whether execution has been previously issued or not, and such recorded judgement shall be a lien on the property of the defendant as provided by law in circuit courts. In all suits brought for minors by their next friends in which judgements are obtained and the money or property paid or delivered into court, the said money or property may be paid or delivered to the next friend bringing the suit to be for the use and benefit of the minor, and the said next friend is authorized to receipt the court record or docket for same, which shall be binding on said minor.

Section 2. All laws or parts of laws in conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 12, 19, 26, and July 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this 3rd. day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Drake, McDonald and St. John (With Notice and Proof):

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

Local Legislation No. 1.

Notice and Proof H. 1408:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission of Education, and shall provide all funds necessary to pay the costs of such garbage collection.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cullman County shall be responsible for causing garbage to be collected and moved from all schools under the jurisdiction of the Cullman County Commission on Education.

Section 2. The governing body of Cullman County shall provide any and all funds necessary to pay the cost of collection and removal of all garbage from all schools under the jurisdiction of the Cullman County Commission on Education.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, 21, 28, and July 5, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me June 26, 1973.

CHARLOTTE MILLER,
Notary Public.

By Messrs. St. John, Drake and McDonald:

H. 1409. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing water works systems; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from any such system or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; and to authorize the re-funding of any such warrants.

Local Government.

By Messrs. Callahan, Waggoner, McBride, Meeks, Drake, Jones (F), McDonald, Cottingham, Turner, Connell, Crawford, Benton, Kinsey, Hardin, Bassett, Barron, Harris, Taylor, Hobbie, Adams, Brassell, Agee, Nettles, Downing, Wynot, Grey (D), Reid (R) and Collins:

H. 1410. To establish the Port of Mobile Oil Disaster Containment, Clean-up and Contingency Fund; to require that the operators of oil terminal facilities at the Port of Mobile obtain licenses to operate such facilities; to authorize and require the State Department of Conservation and Natural Resources to establish requirements and fee schedules necessary to obtain such licenses; to administer such fund, and establish contingency plans to respond to discharges of oil at the Port of Mobile; and to provide penalties for violation of the provisions of this act.

Commerce and Transportation.

By Messrs. Carnes, Waldrop and Wynot:

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

Local Legislation No. 1.

By Messrs. Drake, McDonald and St. John (With Notice and Proof):

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Local Legislation No. 1.

Notice and Proof H. 1412:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Cullman in Cullman County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following territory:

Part of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and all of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and all of the SW $\frac{1}{4}$ of Sec. 27-10-3W and also, part of the S $\frac{1}{2}$ of SE $\frac{1}{4}$ and part of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and part of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 28-10-3W, Cullman, Coun-

ty, Alabama, described as follows: Begin at the SE corner of Sec. 28-10-3W; thence N 89 degrees 44' 42" W along said Sec. line a distance of 1574.10'; to the east right-of-way of Alabama Highway Number 69; thence N 29 degrees 36' 37" E along said right-of-way a distance of 1913.10'; thence in a NE direction along a curve having a radius of 11082.71 feet a distance of 1827.91'; thence continue along said right-of-way N 20 degrees 09' 45" E a distance of 727.13'; to the north line of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence N 89 degrees 10' 45" E along said $\frac{1}{4}$ mile line a distance of 2255.02'; to the $\frac{1}{2}$ mile line: thence S 0 degrees 24' 45" E along said $\frac{1}{2}$ mile line a distance of 3991.77'; to the south line of Sec. 27-10-3W; thence S 89 degrees 29' 19" W along said line a distance of 2650.32'; to the SE corner of Sec. 28-10-3W the point of beginning. Also the following described tract. Beginning at the Southwest corner of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and running North 59 feet, thence N 84 degrees 38' 30" E 225-feet, thence South 236 feet into the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence West 224 feet, thence North 120 feet to the point of beginning, in Section 27, Township 10, Range 3 West, 1.15 acres, containing an aggregate of 290.35 acres, more or less.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and June 14, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me June 26, 1973.

CHARLOTTE MILLER,
Notary Public.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Collins:

H. J. R. 127. EXTENDING SYMPATHY TO THE FAMILY OF REP. CHARLES THERRELL UPON THE DEATH OF HIS FATHER.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That our deep and sincere sympathy is extended to our esteemed colleague, Representative Charles Therrell and the members of his family, on the death of his father, Mr. Cecil Carter Therrell.

BE IT FURTHER RESOLVED That the Clerk of the House cause a copy of this resolution to be sent to Representative Therrell.

On motion of Mr. Collins, the rules were suspended and the resolution, H. J. R. 127, was adopted.

Also:

By Mr. Nettles:

H. R. 128. WHEREAS, the members of this House and the citizens of this State are entitled to and rightfully expect the full public disclosure of all money, fees, and income received by state officials for the conduct of their official duties; and

WHEREAS, there has been no such public disclosure by the Clerk of this House; now therefore

BE IT RESOLVED that the Honorable John Pemberton, Clerk of the House of Representatives of the State of Alabama be and hereby is directed to forthwith make a full and itemized disclosure to each member of this House as to the receipt and expenditure of all money, fees, and income of whatever kind or description collected or received by him or on his behalf from all sources directly or indirectly related to his position as such Clerk during the calendar years 1971, 1972, and the first six months of 1973.

The resolution, H. R. 128, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Callahan:

H. J. R. 129. COMMENDING THE OFFICERS AND MEN OF THE COAST GUARD CUTTER POINT VERDE AND EXTENDING APPRECIATION OF THE LEGISLATURE.

WHEREAS, the officers and men of the United States Coast Guard Air Station in Mobile and of the Coast Guard Cutter Point Verde stationed at Dauphin Island showed warm hospitality and consideration to the members of the Legislature of Alabama who participated in the recent trip to Mobile; and

WHEREAS, the demonstrations, entertainment and safeguard escort provided the members of the Legislature by those members of the United States Coast Guard was very much appreciated; and

WHEREAS, particular consideration was shown to the members of the Legislature by the Commander of the Mobile Coast Guard air base, Captain Arne Soring; the helicopter pilots, Lt. Cdr. R. H. Hill and Lt. Cdr. R. O. Buttsick and by BMC Henry Heitman of the Cutter Point Verde;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the officers and men of the United States Coast Guard Cutter Point Verde, stationed at Dauphin Island, Alabama and the officers and crew of the United States Coast Guard stationed in Mobile be commended for their proficiency as demonstrated in their duties, and that this Legislature extend its appreciation for the hospitality shown this body by the officers and men of the United

States Coast Guard stationed at Dauphin Island, and the Clerk of the House is directed to cause a copy of this Resolution to be sent to the Captain Arne Soring of the United States Coast Guard stationed in Mobile and to BMC Henry Heitman, C.O. of the United States Coast Guard Cutter Point Verde at Dauphin Island, Alabama.

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 129, was lost.

The resolution, H. J. R. 129, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 123. COMMENDING THE U.S. SUPREME COURT.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. McCorquodale:

H. J. R. 130. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Thursday, July 12, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 130, was adopted.

Also:

By Messrs. Doss, Adwell, Ellis, Falkenburg, Weeks, Boutwell, McBride, Timmons, Dill, Hughes, Boles, McNair and Wallace:

H. J. R. 131. COMMENDING THE MEETING FOR THE MULTI-STATE, MULTI-MODE TRANSPORTATION CORRIDOR, AND THANKING MAYOR GEORGE SEIBELS, ELTON B. STEPHENS, AND BILL RICKER FOR THEIR WORK TOWARD THIS ENDEAVOR.

WHEREAS, representatives from six states—Alabama, Mississippi, Georgia, Tennessee, Arkansas, and Missouri—are meeting in Birmingham to discuss a Multi-State, Multi-Mode Transportation Corridor which would provide the ultimate in modern transportation and would upgrade the overall economy of these states; and

WHEREAS, Mayor George Seibels of Birmingham has declared today “Legislative Day” in honor of the Legislature; and

WHEREAS, Elton B. Stephens of Birmingham is chairman of the Multi-State Transportation Advisory Board; and

WHEREAS, Bill Ricker of Operation New Birmingham is co-sponsor of the event which will feature Governor George Wallace and Representative Bill Alexander of Arkansas; now therefore,

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BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends the work toward the Multi-State, Multi-Mode Transportation Corridor and wishes to thank Mayor George Seibels, Elton B. Stephens, Bill Ricker, and all other persons working toward this endeavor.

On motion of Mr. Doss, the rules were suspended and the resolution, H. J. R. 131, was adopted.

BILLS ON THIRD READING

And the bill:

H. 1197. Relating to Calhoun County; to provide further for the salary of certain officials of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reed (T)
Adams	Culver	King	Reid (R)
Adwell	Dill	Kinsey	Reynolds
Agee	Doss	Lang	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Grey (D)	Mims	Waldrop
Casey	Hale	Naramore	Wallace
Cauthen	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson		

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And the bill:

H. 1183. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reed (T)
Adams	Culver	King	Reid (R)
Adwell	Dill	Kinsey	Reynolds
Agee	Doss	Lang	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Grey (D)	Mims	Waldrop
Casey	Hale	Naramore	Wallace
Cauthen	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson		

—98

And the bill:

H. 1167. To apply only in counties in the state having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Cross
Adams	Boles	Casey	Crowe
Adwell	Boutwell	Cauthen	Culver
Agee	Bowers	Collins	Dill
Bank	Brassell	Connell	Doss
Barkett	Burgess	Coshatt	Downing
Barron	Callahan	Cottingham	Drake
Bassett	Carnes	Crawford	Easters

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Edwards	Jackson	Mims	Snell
Ellis	Jones (F)	Naramore	Stokes
Erdreich	King	Nettles	Stubbs
Falkenburg	Kinsey	O'Daniel	Taylor
Fite	Lang	Owens	Timmons
Flippo	Lutz	Parker	Turner
Goodwin	McBride	Perloff	Turnham
Grainger	McCluskey	Pruitt	Waggoner
Gray (F)	McCorquodale	Reed (T)	Waldrop
Grey (D)	McDonald	Reid (R)	Wallace
Hale	McMillan	Reynolds	Warren
Hardin	McNair	Roberts	Weeks
Harris	Manley	Robertson	Williams
Headley	Mathews	St. John	Wise
Hill	May	Smith (K)	Wood
Hobbie	Meeks	Smith (P)	Wynot
Hughes	Merrill		

—98

And the bill:

H. 1144. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants, according to the most recent federal decennial census; providing that any person may use on any boat any motor up to six (6) horsepower on any state-owned lake within said counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reed (T)
Adams	Culver	King	Reid (R)
Adwell	Dill	Kinsey	Reynolds
Agee	Doss	Lang	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Grey (D)	Mims	Waldrop
Casey	Hale	Naramore	Wallace
Cauthen	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson		

—98

And the bill:

H. 1209. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reed (T)
Adams	Culver	King	Reid (R)
Adwell	Dill	Kinsey	Reynolds
Agee	Doss	Lang	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Grey (D)	Mims	Waldrop
Casey	Hale	Naramore	Wallace
Cauthen	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson		

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And the bill:

H. 1210. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to amend Section 5 of Act No. 242, H. 310, Third Special Session 1971, (Acts 1971, p. 4511) forbidding the judge of probate from remitting certain funds to the State Highway Department, so as to provide for the removal of the expiration date of said act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Grainger
Adams	Callahan	Dill	Gray (F)
Adwell	Carnes	Doss	Grey (D)
Agee	Carter	Downing	Hale
Bank	Casey	Drake	Hardin
Barkett	Cauthen	Easters	Harris
Barron	Collins	Edwards	Headley
Bassett	Connell	Ellis	Hill
Benton	Coshatt	Erdreich	Hobbie
Boles	Cottingham	Falkenburg	Hughes
Boutwell	Crawford	Fite	Jackson
Bowers	Cross	Flippo	Jones (F)
Brassell	Crowe	Goodwin	King

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Kinsey	Meeks	Reynolds	Turner
Lang	Merrill	Roberts	Turnham
Lutz	Mims	Robertson	Waggoner
McBride	Naramore	St. John	Waldrop
McCluskey	Nettles	Smith (K)	Wallace
McCorquodale	O'Daniel	Smith (P)	Warren
McDonald	Owens	Snell	Weeks
McMillan	Parker	Stokes	Williams
McNair	Perloff	Stubbs	Wise
Manley	Pruitt	Taylor	Wood
Mathews	Reed (T)	Timmons	Wynot
May	Reid (R)		

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And the bill:

H. 228. Relating to Madison County; authorizing the county governing body to set the county supplement for the circuit court reporters, provided, said supplement is not less than a certain minimum amount.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reed (T)
Adams	Culver	King	Reid (R)
Adwell	Dill	Kinsey	Reynolds
Agee	Doss	Lang	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Gray (D)	Mims	Waldrop
Casey	Hale	Naramore	Wallace
Cauthen	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson		

—98

And the bill:

H. 1244. To amend the Title and Sections 7, 11, 14 and 22 of Act No. 780 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, governing airport authorities incorporated in counties having a population of not less than 110,000 nor more than 165,000 according to the last or any subsequent federal decennial census, which sections pertain, respectively, to powers of such authorities, bonds of such authorities, use of proceeds from the sale thereof and other matters so as to clarify and grant

powers regarding the issuance of bonds and notes and regarding industrial development and other business projects undertaken by such authorities and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act, as amended, regardless of subsequent changes in the population of the county in which such authority was incorporated.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reed (T)
Adams	Culver	King	Reid (R)
Adwell	Dill	Kinsey	Reynolds
Agee	Doss	Lang	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Gray (D)	Mims	Waidrop
Casey	Hale	Naramore	Wallace
Cauthen	Hardin	Netties	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson		

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MOTION TO RECONSIDER H. 228 ADOPTED

Having voted on the prevailing side, Mr. Grainger moved to reconsider the vote by which the bill, H. 228, was passed, and the motion was adopted.

H. 228 RECOMMITTED

On motion of Mr. Grainger to recommit, the bill, H. 228, was recommitteed to the Standing Committee on Local Legislation No. 4.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Barkett:

H. J. R. 132. CONDEMNING PROPOSED FEDERAL RULES AND REGULATIONS TO PROTECT THE COMMON CROW.

WHEREAS, the Fish and Wildlife Service of the Bureau of Sport Fisheries and Wildlife, United States Department of the Interior has issued notice of a rule to protect the common crow (*corvus brachyrhynchos*); and

WHEREAS, this regulation was issued pursuant to the terms of Article IV of the Convention Between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals (50 Stat. 1311), which by ignorance, inadvertance or otherwise, includes the common crow (*corvus brachyrhynchos*) as one of the species included in 32 families of birds added to the convention and brought under federal protection; and

WHEREAS, we know of no state whose conservation laws protect crows, and they are specifically made "outlaw" birds by the provisions of the Code of Alabama 1940, Title 8, Section 85, as amended, and may be hunted the year around in this state; and

WHEREAS, crows have long been recognized by all persons having an intelligence quotient of 25 or better as being the most destructive birds in existence being responsible for inflicting millions of dollars of damages to grain crops and completely devastating pecan orchards; and

WHEREAS, despite the efforts of all concerned persons, and particularly farmers, for hundreds of years to destroy these pests by any means possible, including hunting, dynamiting of roosts and poisoning, game biologists tell us that the crow population has been increasing since North America was settled by white man (primarily because of the food he provides crows by planting crops) and that there are now millions of them in North America; and

WHEREAS, this preposterous and ridiculous proposed regulation provides that crows (1) shall not be hunted by aircraft; (2) limits the hunting season or seasons to a total of 124 days during any calendar year; (3) prohibits their hunting during the peak crow nesting season in any state; and (4) prohibits their taking by any means other than by firearms, bow and arrow, and falconry; and

WHEREAS, the fact that these stringent regulations do not permit the taking of crows by sling shot, rock throwing, javelin or boomerang nor even the taking by hand after judicious salting of the tail, may well interfere with the sport of small boys, and the specific prohibition against the taking of crows by aircraft will definitely curtail the enjoyment of members of the jet set engaged in this pastime; and

WHEREAS, nowhere in these regulations is there any prohibition against the erection of scarecrows, nor any protection for those crows who may be thrown into shock therefrom and be in need of some form of revivification; nor yet is there any study committee or task force created to issue birth control information to crows or to implement a self imposed family planning program for the species; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we condemn the proposed federal regulations providing for the protection of the common crow (*corvus brachyrhynchos*), and urge that the Migratory Bird Treaty Act be further amended so as to delete the provisions for the protection of the common crow, and that the utterly inane and ridiculous proposed federal regulations for the protection of the same be withdrawn and rescinded forthwith.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the following: each member of Alabama's Congressional Delegation, to the

Secretary of the United States Department of Interior and to the Director of the Bureau of Sport Fisheries and Wildlife of the Department of Interior and to the chief executive officer of the Conservation Department of each of the respective states, and that each of said officers be respectfully requested to use all available means necessary and appropriate to prevent the imposition of federal rules and regulations protecting the common crows.

The resolution, H. J. R. 132, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Jones (F), Cottingham, Lyons, Bank, Weeks, Lutz, Hill, Meeks, Wood, Turnham, Grey (D) and Waldrop:

H. J. R. 133. WHEREAS, the 30th Armored Division is composed of National Guardsmen from the States of Alabama, Mississippi, and Tennessee; and

WHEREAS, each state contributes its prorata share of men to properly staff the division; and

WHEREAS, in order for each state to share in command of the division, it is desired and urged by the Legislature of Alabama that the command and proper staff officers be rotated among the States of Alabama, Mississippi, and Tennessee; and

WHEREAS, the State of Tennessee has just completed having command of the division, it is urged by the Legislature of Alabama that the command be given to the State of Alabama and then after a period of time to be determined by the National Guard Bureau, the command should be given to the State of Mississippi; and

WHEREAS, the State of Alabama has many fine general officers capable and qualified to command the said division; and

WHEREAS, one of these officers is a former division commander and is exceptionally qualified to command the said division, it is urged by the Legislature of Alabama that the commander of the said division be given to the State of Alabama; and

WHEREAS, the National Guard Bureau can work out the mechanics of the transfer of the command of the 30th Division between the States of Alabama, Mississippi, and Tennessee; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Secretary of the Army is urged to rotate the command of the 30th Army Division between the foresaid mentioned states, and be it also resolved that a copy of this resolution be sent to the Secretary of the Army; the Chief of the National Guard Bureau; the Governors of Alabama, Mississippi, and Tennessee; each member of the Alabama Congressional Delegation, both House and Senate; and Senator John Stennis of Mississippi.

The resolution, H. J. R. 133, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Reed (T):

H. J. R. 134. DEPLORING THE SYSTEM OF APPLYING BIRTH CONTROL METHODS WITHOUT PROPER INFORMATION.

WHEREAS, it has been brought to national attention within the past two days that the Federal Government has been funding a family planning program that included sterilization; and

WHEREAS, sterilization is an extremely serious procedure that should be preceded by counseling and educating those involved with respect to the future consequences; and

WHEREAS, many patrons of the Community Action Agency Program have not received the adequate counseling and education to make a well informed decision about the long range effects of certain types of birth control methods used in clinical programs; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Federal Government re-vamp its family planning program so that all parties concerned with any method of birth control be so educated on the subject that a logical decision can be made with regard to all possible alternatives to the program.

BE IT FUTHER RESOLVED That a copy of this Resolution be sent to the head of the National Community Action Agency Program.

The resolution, H. J. R. 134, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Falkenburg, Doss, Bowers, Lyons, Bank, Fite, Waggoner, Flipppo, Hill, Easters, Pruitt, Boutwell, Collins, McCluskey, Smith (K), O'Daniel, Boles, Ellis, Weeks, Timmons, Mims, Warren, Callahan, Dill, Cross, Kinsey, Owens, Adwell, Wallace, Hughes, Bassett, Parker, McCorquodale, Downing, Burgess, Adams, Connell, Stubbs, St. John, Cauthen, McBride, McDonald, Culver and McNair:

H. J. R. 135. MOURNING THE DEATH OF JAMES A. SIMPSON.

WHEREAS, on July 8, 1973, James A. Simpson died after a long life of service to his state and community; and

WHEREAS, Mr. Simpson was a former member of both the House of Representatives and the Senate, serving as president pro tem of the Senate from 1943 to 1947; and

WHEREAS, while in the legislature Mr. Simpson sponsored legislation establishing the Alabama Merit System, and later served as chairman of the Alabama Personnel Board; and

WHEREAS, Mr. Simpson often donated his time to many charitable and civic organizations, serving as a trustee of the Birmingham Museum of Fine Arts, Lyman-Ward Military Academy, the Ingalls Foundation and the Eye Foundation; and

WHEREAS, Mr. Simpson will be sorely missed by his state and the community in which he lived; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the loss of James A. Simpson and express our sympathy to the members of his family.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be sent to the members of Mr. Simpson's family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 135, on the Clerk's desk for one legislative day.

Also:

By Mr. Meeks:

H. J. R. 136. MOURNING THE DEATH OF JAMES A. SIMPSON.

WHEREAS, the Honorable James A. Simpson, prominent Birmingham attorney and former Alabama legislator, passed away on July 8, 1973; and

WHEREAS, Mr. Simpson, native Tennessean and graduate of Vanderbilt University, had engaged in the practice of law in Birmingham since 1919; and

WHEREAS, Mr. Simpson served with distinction in both Houses of the Alabama Legislature for a total of sixteen years during which time he sponsored and vigorously supported many progressive and badly needed legislative measures, including the Alabama Merit System law; and

WHEREAS, Mr. Simpson, who was a man of wide interests, had long worked diligently and effectively for the betterment of his state and community; he founded the Exchange Security Bank in Birmingham; was a trustee of the Birmingham Museum of Fine Arts, of the Lyman-Ward Military Academy and of the Ingalls Foundation and the Eye Foundation; he was a member of the American and Birmingham Bar Associations and the Alabama State Bar, Sigma Alpha Epsilon, Phi Delta Phi and Omicron Delta Kappa and of the Independent Presbyterian Church; and

WHEREAS, Mr. Simpson is survived by his widow and three sons, Joseph W., James E. and Henry E. Simpson, all of Birmingham; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama has suffered a severe loss in the death of Mr. James A. Simpson, one of this state's most distinguished and highly respected citizens, and extends its deepest sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 136, on the Clerk's desk for one legislative day.

UNFINISHED BUSINESS

The House then proceeded to the consideration of unfinished business.

And the bill:

H. 94. Relating to motor vehicles; providing for the revocation of the driver's license of any person convicted of repeated violations of the traffic

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laws and who has been designated an habitual offender under the provisions of this Act; prescribing the procedure for the petition, hearing and appeal in such cases; and prescribing the penalties for driving after license has been suspended or revoked.

Was taken up.

Mr. Smith (K) offered the following amendment to the bill, H. 94 as amended on the fourteenth legislative day:

Amend H. B. 94 by adding the following:

"However, this bill shall not apply in Tallapoosa and Cullman Counties".

MOTION TO TABLE LOST

The motion of Mr. Collins to table the amendment offered by Mr. Smith (K) to the bill, H. 94 as amended, was lost.

Yeas 24; Nays 47.

Yeas:

Messrs.:	Ellis	Jones (F)	St. John
Bank	Erdreich	King	Stokes
Barron	Falkenburg	Meeks	Turner
Boutwell	Grainger	Nettles	Waggoner
Callahan	Hale	Owens	Wallace
Cottingham	Harris	Roberts	Weeks
Culver			

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Nays:

Messrs.:	Cross	Lutz	Reynolds
Adams	Crowe	McBride	Robertson
Agee	Dill	McCluskey	Smith (K)
Bassett	Doss	McCorquodale	Smith (P)
Benton	Downing	McNair	Taylor
Brassell	Drake	Mathews	Timmons
Burgess	Edwards	May	Turnham
Carnes	Fite	Merrill	Waldrop
Carter	Goodwin	Naramore	Warren
Cauthen	Gray (F)	O'Daniel	Williams
Coshatt	Grey (D)	Perloff	Wood
Crawford	Hughes	Reid (R)	Wynot

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AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Smith (K) to the bill, H. 94 as amended, and the amendment was adopted.

Yeas 41; Nays 24.

Yeas:

Messrs.:	Burgess	Coshatt	Doss
Bassett	Carnes	Crawford	Downing
Benton	Carter	Cross	Drake
Brassell	Cauthen	Crowe	Edwards

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Falkenburg	Lutz	Perloff	Turnham
Fite	McCluskey	Reid (R)	Waldrop
Goodwin	McCorquodale	Reynolds	Warren
Gray (F)	McNair	Robertson	Williams
Grey (D)	Mathews	Smith (K)	Wood
Hale	May	Taylor	Wynot
Kinsey	Naramore		

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Nays:

Messrs.:	Ellis	Meeks	Smith (P)
Barron	Erdreich	Merrill	Stokes
Boutwell	Grainger	Nettles	Turner
Callahan	Hill	Owens	Waggoner
Connell	Hughes	Roberts	Wallace
Cottingham	McBride	St. John	Weeks
Dill			

—24

Mr. Downing offered the following amendment to the bill, H. 94 as amended:

Delete from Section 1 (b) (2) the words:

"or attempting to operate" where they appear.

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Messrs.:	Crowe	Hughes	Perloff
Adams	Culver	Jones (F)	Porter
Agee	Dill	King	Reed (T)
Bank	Downing	Kinsey	Reid (R)
Barron	Drake	Lutz	Reynolds
Bassett	Edwards	McBride	Robertson
Benton	Ellis	McCorquodale	St. John
Boles	Erdreich	McMillan	Smith (K)
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Callahan	Goodwin	Mathews	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Grey (D)	Merrill	Waggoner
Cauthen	Hale	Naramore	Waldrop
Connell	Hardin	Nettles	Wallace
Coshatt	Harris	O'Daniel	Weeks
Cottingham	Headley	Owens	Williams
Crawford	Hill	Parker	Wynot
Cross			

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Messrs. Burgess and Merrill offered the following amendment to the bill, H. 94 as amended:

Amend H. B. 94 as follows:

This Act shall not apply in Calhoun County.

And the amendment was adopted.

Yeas 48; Nays 19.

Yeas:

Messrs.:	Benton	Burgess	Cauthen
Agee	Boles	Carnes	Connell
Bassett	Brassell	Casey	Coshatt

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Cottingham	Gray (F)	Mathews	Robertson
Crawford	Grey (D)	May	Smith (K)
Crowe	Hale	Merrill	Stubbs
Culver	Headley	Naramore	Timmons
Dill	Hughes	O'Daniel	Turnham
Downing	King	Perloff	Waldrop
Drake	Kinsey	Reed (T)	Williams
Falkenburg	Lutz	Reid (R)	Wood
Fite	McCluskey	Reynolds	Wynot
Goodwin			

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Nays:

Messrs.:	Collins	Grainger	Nettles
Barron	Doss	Hill	Owens
Boutwell	Ellis	McMillan	Roberts
Bowers	Erdreich	McNair	Stokes
Callahan	Flippo	Meeks	Turner

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RECESS

On motion of Mr. Drake, the House recessed for five minutes.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 123. COMMENDING THE U. S. SUPREME COURT.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Crowe:

H. J. R. 137. MOURNING THE DEATH OF WILLIE EARL LINDSEY.

WHEREAS, on November 26, 1972 Willie Earl Lindsey died after a long life of service to his community; and

WHEREAS, Mr. Lindsey served as custodian of the Walker County courthouse for 32 years, helping many people from throughout the county; and

WHEREAS, Mr. Lindsey is sorely missed by his loved ones and many friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the loss of Willie Earl Lindsey and express our sympathy to the members of his family.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be sent to the members of Mr. Lindsey's family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 137, on the Clerk's desk for one legislative day.

H. 94 RESUMED

Mr. Fite offered the following amendment to the bill, H. 94 as amended:

Amend H. B. 94 by adding the following:

Section 15. Provided, however, this Act shall not apply in the counties of Marion, Winston, Cleburne, Randolph, Marshall and Jackson.

And the amendment was adopted.

Yeas 34; Nays 11.

Yeas:

Messrs.:	Downing	Lutz	Reynolds
Bassett	Drake	McDonald	Robertson
Brassell	Edwards	McMillan	Smith (K)
Carnes	Falkenburg	Mathews	Timmons
Casey	Fite	May	Turnham
Cauthen	Goodwin	Merrill	Waldrop
Connell	Hughes	Naramore	Williams
Crowe	King	Perloff	Wood
Dill	Lang	Reid (R)	

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Nays:

Messrs.:	Doss	Grainger	Meeks
Barron	Erdreich	Hale	Nettles
Boutwell	Flippo	Hill	Stokes

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Messrs. Naramore and Crowe offered the following amendment to the bill, H. 94 as amended:

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Amend H. B. 94, Title by adding at the end of the last sentence a comma and the following phrase "Walker County is specifically exempted from this Act."

And the amendment was adopted.

Yeas 29; Nays 12.

Yeas:

Messrs.:	Downing	Mathews	Reynolds
Bassett	Drake	May	Robertson
Brassell	Falkenburg	Merrill	Smith (K)
Carnes	Fite	Naramore	Timmons
Casey	Goodwin	O'Daniel	Turnham
Cauthen	Hughes	Perloff	Williams
Crowe	King	Reid (R)	Wynot
Doss	Lutz		

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Nays:

Messrs.:	Hale	McBride	Owens
Barron	Hill	Meeks	Roberts
Boutwell	Lang	Nettles	Stokes
Grainger			

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO POSTPONE LOST

The motion of Mr. Reynolds to indefinitely postpone the bill, H. 94 as amended, was lost.

Yeas 30; Nays 34.

Yeas:

Messrs.:	Downing	Lang	Reynolds
Bassett	Drake	McCluskey	Roberts
Benton	Fite	McDonald	Smith (K)
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	Merrill	Turnham
Casey	Grey (D)	Naramore	Williams
Cauthen	Hughes	Perloff	Wood
Crowe	King	Reid (R)	

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Nays:

Messrs.:	Collins	Harris	Pruitt
Adams	Cottingham	Headley	St. John
Adwell	Doss	Hill	Smith (P)
Bank	Edwards	Hobbie	Stokes
Barkett	Ellis	Lutz	Stubbs
Barron	Erdreich	McBride	Turner
Boutwell	Grainger	Meeks	Waggoner
Carnes	Hale	Nettles	Weeks
Carter	Hardin	Owens	

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MOTION TO POSTPONE H. 94

Mr. Drake moved to postpone the bill, H. 94 as amended, to the nineteenth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Collins to table the motion offered by Mr. Drake was lost.

Yeas 36; Nays 37.

Yeas:

Messrs.:	Doss	Hobbie	Owens
Adams	Edwards	Hughes	Pruitt
Barkett	Ellis	Jones (F)	Roberts
Barron	Erdreich	King	St. John
Boutwell	Grainger	McBride	Stokes
Callahan	Hale	McCluskey	Stubbs
Carter	Hardin	Manley	Timmons
Collins	Headley	Meeks	Turner
Cottingham	Hill	Nettles	Waggoner
Culver			

—36

Nays:

Messrs.:	Downing	McDonald	Robertson
Bassett	Drake	Mathews	Smith (K)
Benton	Fite	Merrill	Taylor
Brassell	Flippo	Mims	Turnham
Burgess	Goodwin	Naramore	Waldrop
Carnes	Grey (D)	O'Daniel	Warren
Casey	Harris	Perloff	Williams
Cauthen	Kinsey	Reid (R)	Wood
Crawford	Lang	Reynolds	Wynot
Crowe	Lutz		

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MOTION TO POSTPONE LOST

The question was then on the motion offered by Mr. Drake to postpone the bill, H. 94 as amended, to the nineteenth legislative day, and the motion was lost.

Yeas 37; Nays 39.

Yeas:

Messrs.:	Downing	Mathews	Smith (K)
Benton	Drake	Merrill	Taylor
Brassell	Fite	Mims	Timmons
Burgess	Flippo	Naramore	Turnham
Carnes	Goodwin	O'Daniel	Waldrop
Casey	Grey (D)	Perloff	Warren
Cauthen	Harris	Reid (R)	Williams
Crawford	Kinsey	Reynolds	Wood
Crowe	Lang	Robertson	Wynot
Culver	McDonald		

—37

Nays:

Messrs.:	Bank	Boutwell	Collins
Adams	Barkett	Callahan	Cottingham
Adwell	Barron	Carter	Doss

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Edwards	Hill	McCluskey	St. John
Ellis	Hobbie	Manley	Smith (P)
Erdreich	Hughes	Meeks	Stokes
Grainger	Jones (F)	Nettles	Stubbs
Hale	King	Owens	Turner
Hardin	Lutz	Pruitt	Waggoner
Headley	McBride	Roberts	Weeks

—39

MOTION TO POSTPONE H. 94

Mr. Drake offered the motion that the bill, H. 94 as amended, be postponed to the eighteenth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Collins to table the motion offered by Mr. Drake, was lost.

Yeas 34; Nays 41.

Yeas:

Messrs.:	Cottingham	Hill	Nettles
Adams	Culver	Hobbie	Owens
Bank	Edwards	Jones (F)	Roberts
Barkett	Ellis	King	St. John
Barron	Erdreich	McBride	Stokes
Boutwell	Falkenburg	McCluskey	Stubbs
Burgess	Grainger	McNair	Turner
Callahan	Hale	Manley	Waggoner
Collins	Headley	Meeks	

—34

Nays:

Messrs.:	Doss	McDonald	Smith (K)
Bassett	Downing	Mathews	Taylor
Benton	Drake	Merrill	Timmons
Brassell	Fite	Mims	Turnham
Carnes	Flippo	Naramore	Waldrop
Carter	Goodwin	Perloff	Warren
Casey	Grey (D)	Porter	Weeks
Cauthen	Hughes	Reid (R)	Williams
Connell	Kinsey	Reynolds	Wood
Crawford	Lang	Robertson	Wynot
Crowe	Lutz		

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MOTION TO POSTPONE LOST

The question was then on the motion offered by Mr. Drake that the bill, H. 94 as amended, be postponed to the eighteenth legislative day, and the motion was lost.

Yeas 40; Nays 41.

Yeas:

Messrs.:	Carnes	Crawford	Downing
Bassett	Casey	Cross	Drake
Benton	Cauthen	Crowe	Falkenburg
Brassell	Connell	Culver	Fite
Burgess	Cottingham	Dill	Flippo

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Goodwin	Naramore	Reynolds	Waldrop
Grey (D)	O'Daniel	Robertson	Warren
McDonald	Perloff	Smith (K)	Williams
Mathews	Porter	Timmons	Wood
Merrill	Reid (R)	Turnham	Wynot
Mims			

—40

Nays:

Messrs.:	Edwards	King	Owens
Adams	Ellis	Kinsey	Pruitt
Adwell	Erdreich	Lang	Roberts
Bank	Grainger	Lutz	St. John
Barkett	Hale	McBride	Smith (P)
Barron	Hardin	McCluskey	Stokes
Boutwell	Headley	McMillan	Stubbs
Callahan	Hill	McNair	Turner
Carter	Hobbie	Meeks	Waggoner
Collins	Hughes	Nettles	Weeks
Doss	Jones (F)		

—41

MOTION TO RECOMMIT H. 94

Mr. Drake moved to recommit the bill, H. 94 as amended, to the Standing Committee on Highway Safety.

MOTION TO TABLE LOST

The motion of Mr. Collins to table the motion offered by Mr. Drake was lost.

Yeas 38; Nays 40.

Yeas:

Messrs.:	Doss	Hughes	Owens
Adams	Edwards	Jones (F)	Pruitt
Bank	Erdreich	King	Roberts
Barron	Flippo	Kinsey	St. John
Boutwell	Grainger	Lutz	Stokes
Callahan	Hale	McBride	Stubbs
Carter	Hardin	McCluskey	Turner
Collins	Headley	Manley	Waggoner
Cottingham	Hill	Meeks	Weeks
Cross	Hobbie	Nettles	

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Nays:

Messrs.:	Crawford	Lang	Robertson
Barkett	Crowe	McDonald	Smith (K)
Bassett	Culver	McNair	Taylor
Benton	Dill	Mathews	Turnham
Brassell	Downing	Merrill	Waldrop
Burgess	Drake	Mims	Wallace
Carnes	Ellis	Naramore	Warren
Casey	Falkenburg	Porter	Williams
Cauthen	Fite	Reid (R)	Wood
Connell	Goodwin	Reynolds	Wynot
Coshatt			

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MOTION TO RECOMMIT LOST

The question was then on the motion offered by Mr. Drake that the bill, H. 94 as amended, be recommitted to the Standing Committee on Highway Safety, and the motion was lost.

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Yeas 41; Nays 41.

Yeas:

Messrs.:	Crowe	McMillan	Smith (K)
Bassett	Culver	Mathews	Taylor
Benton	Dill	Merrill	Timmons
Brassell	Downing	Mims	Turnham
Burgess	Drake	Naramore	Waldrop
Carnes	Fite	Perloff	Wallace
Casey	Goodwin	Porter	Warren
Cauthen	Grey (D)	Reid (R)	Williams
Connell	Lang	Reynolds	Wood
Coshatt	Lutz	Robertson	Wynot
Crawford	McDonald		

—41

Nays:

Messrs.:	Cross	Hill	Nettles
Adams	Doss	Hobbie	Owens
Adwell	Edwards	Hughes	Pruitt
Bank	Ellis	Jones (F)	Roberts
Barkett	Erdreich	King	St. John
Barron	Falkenburg	Kinsey	Smith (P)
Boutwell	Flippo	McBride	Stubbs
Callahan	Grainger	McCluskey	Turner
Carter	Hale	McNair	Waggoner
Collins	Hardin	Meeks	Weeks
Cottingham	Headley		

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Mr. Hill offered the following amendment to the bill, H. 94 as amended:

Amend H. B. 94 by deleting Section 11 and renumbering the following sections respectively.

And the amendment was adopted.

Yeas 76; Nays 2.

Yeas:

Messrs.:	Culver	King	Pruitt
Adams	Dill	Kinsey	Reid (R)
Bank	Doss	Lang	Reynolds
Barron	Downing	Lutz	Roberts
Bassett	Drake	McBride	Robertson
Benton	Edwards	McCluskey	St. John
Boutwell	Ellis	McDonald	Smith (K)
Bowers	Erdreich	McMillan	Stokes
Brassell	Fite	McNair	Stubbs
Burgess	Flippo	Manley	Timmons
Carnes	Goodwin	Meeks	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Gray (F)	Mims	Waldrop
Cauthen	Grey (D)	Naramore	Wallace
Collins	Hale	Nettles	Warren
Coshatt	Headley	O'Daniel	Weeks
Cottingham	Hill	Owens	Williams
Crawford	Hobbie	Perloff	Wood
Cross	Hughes	Porter	Wynot
Crowe			

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Nays: Messrs. Smith (P) and Turner.

—2

RESOLUTION

The following resolution was introduced:

By Messrs. Perloff, Lyons, Callahan, Downing, Nettles, Harris, Stokes, Roberts and Collins:

H. J. R. 138. CONGRATULATING REPRESENTATIVE AND MRS. JAMES C. WOOD ON THE BIRTH OF A SON.

WHEREAS, Mary Olive Wood presented her husband, Representative Jim Wood with a fine son who has been named Thomas Jefferson Wood, during the recent Fourth of July holidays; and

WHEREAS, we extend the warmest possible welcome to this young man who so considerably timed his arrival during a convenient recess of the Legislature; and

WHEREAS, it is deemed most appropriate that the Wood's baby should be named in honor of one of this country's most illustrious founding fathers who was chiefly responsible for the framing of the United States Constitution and for the Declaration of Independence, which we celebrate on each July Fourth; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Representative and Mrs. Wood on the birth of their son, and extend all best wishes for his fulfillment of a bright future.

On motion of Mr. Perloff, the rules were suspended and the resolution, H. J. R. 138, was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until 12:00 o'clock noon, Thursday, July 12, 1973, was lost.

MOTION TO RECOMMIT

Mr. Drake offered the motion that the bill, H. 94 as amended, be recommitted to the Standing Committee on Highway Safety.

MOTION TO TABLE LOST

The motion of Mr. Collins to table the motion offered by Mr. Drake was lost.

Yeas 33; Nays 37.

Yeas:

Messrs.:	Erdreich	Jones (F)	Owens
Adams	Falkenburg	King	Parker
Adwell	Flippo	Kinsey	Pruitt
Barron	Grainger	McBride	St. John
Boutwell	Hale	McCluskey	Smith (P)
Callahan	Hardin	McNair	Stubbs
Collins	Headley	Manley	Turner
Edwards	Hill	Nettles	Weeks
Ellis	Hobbie		

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Nays:

Messrs.:	Cross	McDonald	Reynolds
Bassett	Crowe	McMillan	Smith (K)
Brassell	Downing	Mathews	Taylor
Carnes	Drake	Merrill	Timmons
Casey	Fite	Mims	Turnham
Cauthen	Goodwin	Naramore	Waldrop
Connell	Gray (F)	Perloff	Warren
Coshatt	Grey (D)	Reed (T)	Williams
Cottingham	Lang	Reid (R)	Wynot
Crawford	Lutz		

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MOTION TO RECOMMIT LOST

The question was then on the motion offered by Mr. Drake that the bill, H. 94 as amended, be recommitted to the Standing Committee on Highway Safety, and the motion was lost.

Yeas 36; Nays 39.

Yeas:

Messrs.:	Culver	Lang	Reed (T)
Bassett	Downing	Lutz	Reid (R)
Brassell	Drake	McDonald	Reynolds
Carnes	Falkenburg	McMillan	Smith (K)
Casey	Fite	Mathews	Turnham
Cauthen	Goodwin	Merrill	Waldrop
Connell	Gray (F)	Mims	Warren
Crawford	Grey (D)	Naramore	Williams
Cross	Hughes	Perloff	Wynot
Crowe			

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Nays:

Messrs.:	Doss	Hobbie	Owens
Adams	Edwards	Jackson	Parker
Adwell	Ellis	Jones (F)	Pruitt
Agee	Erdreich	King	St. John
Barkett	Flippo	Kinsey	Smith (P)
Barron	Grainger	McCluskey	Stubbs
Callahan	Hale	McNair	Timmons
Carter	Hardin	Manley	Turner
Collins	Headley	Meeks	Waggoner
Cottingham	Hill	Nettles	Weeks

—39

Mr. Hill offered the following amendment #2 to the bill, H. 94 as amended:

Amend H. B. 94 by striking the word "and" in Section 8 (b) and in lieu thereof place the word "or".

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Barkett	Boutwell	Carnes
Adams	Barron	Brassell	Carter
Agee	Bassett	Burgess	Casey
Bank	Benton	Callahan	Cauthen

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Collins	Grainger	McCluskey	Reid (R)
Connell	Grey (D)	McDonald	Reynolds
Coshatt	Hale	McMillan	St. John
Cottingham	Hardin	McNair	Smith (K)
Crawford	Harris	Manley	Smith (P)
Cross	Headley	Mathews	Stokes
Crowe	Hill	Meeks	Stubbs
Culver	Hobbie	Merrill	Taylor
Downing	Hughes	Naramore	Timmons
Drake	Jackson	Nettles	Turner
Edwards	Jones (F)	O'Daniel	Turnham
Ellis	King	Owens	Waldrop
Falkenburg	Kinsey	Parker	Weeks
Fite	Lang	Perloff	Williams
Flippo	Lutz	Porter	Wynot
Goodwin	McBride	Pruitt	

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MOTION TO POSTPONE TABLED

On motion of Mr. Collins, the motion of Mr. Drake that the bill, H. 94 as amended, be postponed to the twenty-first legislative day, was tabled.

Yeas 43; Nays 38.

Yeas:

Messrs.:	Edwards	Jones (F)	Parker
Adams	Ellis	King	Pruitt
Adwell	Erdreich	Kinsey	Roberts
Bank	Flippo	Lutz	St. John
Barkett	Grainger	McBride	Stokes
Barron	Hale	McCluskey	Stubbs
Boutwell	Hardin	McNair	Timmons
Callahan	Headley	Manley	Turner
Carter	Hill	Meeks	Waggoner
Collins	Hobbie	Nettles	Wallace
Culver	Hughes	Owens	Weeks

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Nays:

Messrs.:	Crawford	McDonald	Smith (K)
Bassett	Cross	McMillan	Taylor
Benton	Downing	Mathews	Turnham
Brassell	Drake	Merrill	Waldrop
Burgess	Fite	Mims	Warren
Carnes	Goodwin	Naramore	Williams
Casey	Gray (F)	Perloff	Wise
Cauthen	Gray (D)	Porter	Wood
Connell	Jackson	Reid (R)	Wynot
Coshatt	Lang	Reynolds	

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MOTION TO POSTPONE TABLED

On motion of Mr. Collins, the motion offered by Mr. Lang to postpone the bill, H. 94 as amended, to the thirty-fifth legislative day, was tabled.

Yeas 47; Nays 37.

Yeas:

Messrs.:	Agee	Barron	Carnes
Adams	Bank	Boutwell	Carter
Adwell	Barkett	Callahan	Collins

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Cottingham	Harris	McBride	Smith (P)
Edwards	Headley	McNair	Stokes
Ellis	Hill	Manley	Stubbs
Erdreich	Hobbie	Meeks	Timmons
Flippo	Jackson	Nettles	Turner
Gafford	Jones (F)	Owens	Waggoner
Grainger	King	Parker	Waldrop
Hale	Kinsey	Pruitt	Weeks
Hardin	Lutz	Roberts	Wynot

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Nays:

Messrs.:	Downing	McDonald	Reynolds
Bassett	Drake	McMillan	St. John
Benton	Falkenburg	Mathews	Smith (K)
Brassell	Fite	Merrill	Turnham
Burgess	Goodwin	Mims	Wallace
Casey	Gray (F)	Naramore	Warren
Cauthen	Grey (D)	Perloff	Williams
Connell	Hughes	Porter	Wise
Crawford	Lang	Reid (R)	Wood
Cross	McCluskey		

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RESOLUTION

The following resolution was introduced:

By Mr. Stokes:

H. J. R. 139. ESTABLISHING THE EXECUTIVE INTERAGENCY CONSUMER HEALTH EDUCATION COMMITTEE.

WHEREAS, this Legislature is concerned for the health of all the people of Alabama; and

WHEREAS, consumer health education is a vital ingredient for the continued health and well being of the citizenry; and

WHEREAS, findings of the Alabama Health Study Commission and other authoritative groups show that more than communication is a necessity if the consumer is to practice proper health habits; and

WHEREAS, these same authorities view formal education as the proper underpinning for consumer education to educate our youth in proper health habits and make them receptive to consumer health education matters in adult life; and

WHEREAS, various state agencies and organizations must work in concert to establish an effective program for education on consumer health in our public schools; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an Executive Interagency Consumer Health Education Committee be established to plan, coordinate, and evaluate consumer health education activities in public, private and volunteer agencies. The Committee shall be responsible for identifying target groups, determining consumer education most needed by these groups, making recommendations for implementation, evaluating the results of the education implemented, and projecting budgetary support needed to carry out the recom-

mentation. This Committee shall be composed of representatives from: The State Department of Public Health; the State Department of Mental Health; the State Department of Education; the State Department of Pensions and Security; the Alabama Dental Association; the Alabama State Nurses Association; the Cooperative Extension Service; the Alabama Pharmaceutical Association; the Health Committee of the House and the Health Committee of the Senate.

BE IT FURTHER RESOLVED, That these representatives shall be the principal decision-makers within the organizations represented who are familiar with consumer health education.

BE IT FURTHER RESOLVED, That this group will become operative on the appointment of the membership, and shall meet within sixty days of such event to organize and establish meeting schedules, officers and other business.

BE IT FURTHER RESOLVED, That the Executive Interagency Consumer Health Education Committee shall annually report to the people and the Legislature of Alabama on progress in health education.

The resolution, H. J. R. 139, was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion offered by Mr. Drake that the House adjourn until 12:00 o'clock noon, Thursday, July 12, 1973, was lost.

Yeas 25; Nays 62.

Yeas:

Messrs.:	Coshatt	Fite	Naramore
Agee	Cottingham	Goodwin	Perloff
Barkett	Cross	Gray (F)	Reed (T)
Bassett	Crowe	Grey (D)	Reynolds
Brassell	Downing	Mathews	Turnham
Burgess	Drake	Merrill	Weeks
Casey	Easters		

—25

Nays:

Messrs.:	Erdreich	Lutz	Smith (K)
Adams	Falkenburg	McBride	Smith (P)
Adwell	Flippo	McCluskey	Stokes
Barron	Gafford	McDonald	Stubbs
Benton	Grainger	McMillan	Taylor
Boles	Hale	McNair	Timmons
Callahan	Hardin	May	Turner
Carnes	Harris	Meeks	Waggoner
Carter	Headley	Mims	Waldrop
Collins	Hill	Nettles	Wallace
Connell	Hobbie	Owens	Warren
Crawford	Hughes	Parker	Williams
Dill	Jackson	Porter	Wise
Doss	Jones (F)	Reid (R)	Wood
Edwards	King	Roberts	Wynot
Ellis	Kinsey	St. John	

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H. 94 RESUMED

And the bill, H. 94 as thus amended, was read a third time at length and lost.

Yeas 37; Nays 42.

Yeas:

Messrs.:	Erdreich	Lutz	Roberts
Barkett	Flipppo	McBride	St. John
Barron	Grainger	McNair	Smith (P)
Boutwell	Hardin	Manley	Stokes
Callahan	Headley	Meeks	Stubbs
Collins	Hill	Nettles	Turner
Connell	Jackson	Owens	Waggoner
Cottingham	Jones (F)	Parker	Waldrop
Edwards	King	Pruitt	Weeks
Ellis	Kinsey		

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Nays:

Messrs.:	Cross	Lang	Reynolds
Adwell	Crowe	McCluskey	Smith (K)
Bassett	Dill	McDonald	Timmons
Benton	Downing	McMillan	Turnham
Brassell	Drake	Mathews	Wallace
Burgess	Fite	Merrill	Warren
Carnes	Gafford	Mims	Williams
Carter	Goodwin	Naramore	Wise
Casey	Gray (F)	Perloff	Wood
Cauthen	Grey (D)	Porter	Wynot
Crawford	Hughes	Reid (R)	

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MOTION TO ADJOURN

Mr. Weeks moved that the House adjourn until 10:00 o'clock a.m., Thursday, July 12, 1973.

SUBSTITUTE MOTION LOST

The substitute motion of Mr. Culver that the House adjourn until 12:00 o'clock noon, Thursday, July 12, 1973, was lost.

Yeas 26; Nays 58.

Yeas:

Messrs.:	Casey	Edwards	Mathews
Bank	Coshatt	Fite	Naramore
Barkett	Cross	Goodwin	Perloff
Bassett	Culver	Gray (F)	Reed (T)
Brassell	Downing	Grey (D)	Reynolds
Burgess	Drake	Kinsey	Weeks
Callahan	Easters	Manley	

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Nays:

Messrs.:	Barron	Carnes	Connell
Adams	Benton	Carter	Crawford
Adwell	Boles	Cauthen	Crowe
Agee	Boutwell	Collins	Dill

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Doss	Jackson	Nettles	Taylor
Ellis	Jones (F)	Owens	Timmons
Erdreich	King	Parker	Turner
Falkenburg	Lutz	Porter	Turnham
Flippo	McBride	Reid (R)	Waggoner
Gafford	McDonald	Roberts	Waldrop
Grainger	McMillan	St. John	Wallace
Hardin	McNair	Smith (K)	Warren
Hill	Meeks	Smith (P)	Wise
Hobbie	Merrill	Stokes	Wood
Hughes	Mims	Stubbs	

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The question was then on the motion offered by Mr. Weeks that the House adjourn until 10:00 o'clock a.m., Thursday, July 12, 1973.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Burgess that the House adjourn until 11:00 o'clock a.m., Thursday, July 12, 1973, was lost.

Yeas 31; Nays 53.

Yeas:

Messrs.:	Callahan	Drake	Mathews
Agee	Casey	Easters	Merrill
Bank	Cauthen	Edwards	Namamore
Barkett	Coshatt	Fite	Perloff
Bassett	Cottingham	Goodwin	Pruitt
Boutwell	Crowe	Gray (F)	Reed (T)
Brassell	Culver	Kinsey	Reynolds
Burgess	Downing	Manley	Weeks

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Nays:

Messrs.:	Erdreich	McBride	Smith (K)
Adams	Falkenburg	McDonald	Smith (P)
Adwell	Flippo	McMillan	Stokes
Barron	Gafford	McNair	Stubbs
Benton	Grainger	Meeks	Timmons
Boles	Grey (D)	Mims	Turner
Carnes	Hardin	Nettles	Turnham
Carter	Harris	Owens	Waggoner
Collins	Hill	Parker	Waldrop
Connell	Hobbie	Porter	Wallace
Crawford	Hughes	Reid (R)	Warren
Cross	Jackson	Roberts	Wise
Dill	King	St. John	Wood
Ellis	Lutz		

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MOTION TO ADJOURN LOST

The question was again on the motion offered by Mr. Weeks that the House adjourn until 10:00 o'clock a.m., Thursday, July 12, 1973, and the motion was lost.

Yeas 17; Nays 66.

Yeas:

Messrs.:	Bassett	Casey	Cottingham
Barkett	Brassell	Coshatt	Drake

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Easters	Gray (F)	Reed (T)	Weeks
Fite	Mathews	Reynolds	Williams
Goodwin	Naramore		

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Nays:

Messrs.:	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	St. John
Adwell	Dill	King	Smith (K)
Agee	Doss	Kinsey	Smith (P)
Bank	Downing	Lutz	Stokes
Barron	Ellis	McBride	Stubbs
Benton	Erdreich	McCluskey	Taylor
Boles	Falkenburg	McMillan	Timmons
Boutwell	Flippo	McNair	Turner
Burgess	Gafford	Meeks	Turnham
Carnes	Grainger	Merrill	Waggoner
Carter	Grey (D)	Mims	Waldrop
Cauthen	Hardin	Nettles	Wallace
Collins	Harris	Owens	Warren
Connell	Hill	Parker	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Reid (R)	

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Smith (P) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 817, was lost.

BILLS ON THIRD READING RESUMED

And the bill:

H. 608. To provide for periodic re-examination of licensed drivers in Alabama once in each four years, to provide for the manner and extent of such re-examination; to provide for a driver license, a chauffeur license, a motorcycle driver license, and to provide for the manner of test therefor, and to authorize the director of Public Safety to issue such licenses; to provide that licenses issued by the Department of Public Safety shall bear a photographic likeness in color of the licensed driver, to provide for the developing, installation and use of a system of color photographic driver license forms.

Was taken up.

MOTION TO POSTPONE LOST

The motion of Mr. Cauthen to postpone the bill, H. 608, to the eighteenth legislative day, was lost.

SUBSTITUTE ADOPTED

Mr. Carnes offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To provide that driver licenses bear photographic likenesses in color of licensed drivers and to provide for a system of color photographic driver license forms.

Be It Enacted by the Legislature of Alabama:

Section 1. Effective from and after January 1, 1975, each driver license issued by the Department of Public Safety shall bear thereon a distinguishing number assigned to the licensee and a color photograph of the licensee and shall contain the name, birthdate, residence address, and a brief description of the licensee, who for the purpose of identification and as a condition precedent to the validity of the license, immediately upon receipt thereof, shall endorse his or her usual or regular signature in ink upon the license in the space provided thereon unless a facsimile of the licensee's signature appears thereon.

Section 2. The Director shall make a study of methods of implementing the requirements of the preceding section, and shall prescribe in writing the standards and requirements of the equipment or process to be used, and shall solicit by public bid proposals from all qualified companies to furnish such equipment or process. All solicitations, bids, proposals, and awards of contracts hereunder shall be in conformity with the competitive bid laws of the State of Alabama, and in conformity with Chapter 21, Title 55, Code of Alabama, 1940, as amended. In addition thereto the Director shall require of the successful bidder a sufficient performance bond to guarantee performance of the contract awarded, and sufficient to protect the interests of the State of Alabama and the interests of licensees.

Section 3. Upon the installation of a system for the issuance of driver licenses with color photographs of licensees thereon, all such licenses and renewals thereof issued in this State shall be issued in the manner herein required. For the purpose of defraying the cost of issuing driver licenses with colored photographs of the licensees thereon, the Probate Judge or License Commissioner, as the case may be, shall collect, in addition to the regular fee for the driver license, an additional fee of fifty cents (\$.50) for each such license issued. All such fees shall be deposited in the State Treasury, as special revenues, and the net amount thereof shall be credited to the Department of Public Safety for the implementation of this act.

Section 4. All laws and parts of laws in conflict herewith are hereby repealed.

Section 5. This act is severable and if any part thereof shall be declared invalid by a court of competent jurisdiction such declaration shall not affect those parts that remain.

Section 6. This act shall become effective January 1, 1975, upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 35; Nays 33.

Yeas:

Messrs.:	Connell	Grainger	Reynolds
Agee	Crawford	Hale	Smith (K)
Bassett	Dill	Hughes	Timmons
Benton	Downing	Kinsey	Turnham
Boutwell	Drake	Lang	Waldrop
Brassell	Edwards	Lutz	Wallace
Burgess	Falkenburg	McCluskey	Wise
Carnes	Fite	McNair	Wood
Casey	Goodwin	Merrill	Wynot

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Nays:

Messrs.:	Doss	McBride	Parker
Adams	Erdreich	McDonald	Porter
Adwell	Hardin	McMillan	Pruitt
Barron	Harris	Manley	Reid (R)
Callahan	Hill	May	Roberts
Carter	Hobbie	Naramore	St. John
Cauthen	Jackson	Nettles	Stokes
Coshatt	Jones (F)	Owens	Stubbs
Cross	King		

—33

And the bill:

H. 608. To provide that driver licenses bear photographic likenesses in color of licensed drivers and to provide for a system of color photographic driver license forms.

As thus amended was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 24.

Yeas:

Messrs.:	Crawford	Grey (D)	Perloff
Adams	Cross	Hale	Porter
Adwell	Crowe	Hardin	Pruitt
Agee	Culver	Harris	Reid (R)
Bank	Dill	Hill	Roberts
Barron	Doss	King	Smith (P)
Benton	Downing	Lutz	Stokes
Boutwell	Edwards	McNair	Stubbs
Burgess	Ellis	Manley	Timmons
Carnes	Erdreich	May	Waldrop
Casey	Falkenburg	Merrill	Wallace
Cauthen	Fite	Naramore	Wise
Collins	Flippo	Nettles	Wynot
Connell	Grainger	Owens	

—54

Nays:

Messrs.:	Goodwin	McCluskey	St. John
Bassett	Hobbie	McDonald	Smith (K)
Brassell	Hughes	McMillan	Turnham
Callahan	Jackson	Mathews	Warren
Carter	Jones (F)	Mims	Williams
Coshatt	Kinsey	Reynolds	
Drake	Lang		

—24

UNANIMOUS CONSENT GRANTED

At the request of Mr. Ellis, unanimous consent was granted for his name to be added as a co-sponsor to the bill, H. 608.

And the bill:

H. 102. Relating to motor vehicles; further regulating the operation of vehicles upon the highways; prohibiting the operation thereon of unsafe vehicles; authorizing the director of public safety to provide for the making of inspections and tests of motor vehicles to detect defective equipment or other

violation of laws governing the use of public highways by motor vehicles and the owners and operators of such vehicles; requiring drivers or operators of motor vehicles, when directed by a police officer to do so, to stop their vehicles and submit to the inspection and tests hereby authorized; and to prescribe penalties.

Was taken up.

Mr. Smith (K) offered the following amendment to the bill:

After the last paragraph insert the following:

Excluding Tallapoosa County from any provisions of this Act.

AMENDMENT TABLED

On motion of Mr. Collins, the amendment offered by Mr. Smith (K) was tabled.

Yeas 38; Nays 28.

Yeas:

Messrs.:	Collins	Lutz	Roberts
Adams	Connell	McBride	St. John
Agee	Dill	McNair	Stokes
Bank	Ellis	Merrill	Taylor
Barkett	Goodwin	Nettles	Timmons
Barron	Grainger	Owens	Turner
Boutwell	Harris	Parker	Waggoner
Burgess	Hobbie	Porter	Wallace
Callahan	Jones (F)	Reid (R)	Weeks
Cauthen	King	Reynolds	

—38

Nays:

Messrs.:	Cross	Headley	Smith (K)
Benton	Downing	Hill	Stubbs
Brassell	Edwards	Hughes	Turnham
Carnes	Falkenburg	Jackson	Warren
Carter	Fite	McMillan	Williams
Casey	Flippo	Mims	Wise
Cottingham	Gray (F)	Perloff	
Crawford	Grey (D)		

—28

And the bill, H. 102, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 22.

Yeas:

Messrs.:	Burgess	Dill	Harris
Adams	Callahan	Edwards	Headley
Adwell	Carnes	Erdreich	Hill
Bank	Cauthen	Falkenburg	Hobbie
Barkett	Collins	Flippo	Hughes
Barron	Coshatt	Goodwin	Jones (F)
Bassett	Cottingham	Grainger	King
Boles	Crowe	Grey (D)	Kinsey
Boutwell	Culver	Hardin	Lutz

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McBride	Nettles	Reynolds	Timmons	
McDonald	Owens	Roberts	Turner	
Manley	Parker	St. John	Waggoner	
May	Porter	Smith (P)	Wallace	
Merrill	Pruitt	Stokes	Weeks	
Naramore	Reid (R)	Stubbs		—58

Nays:

Messrs.:	Cross	Jackson	Snell	
Agee	Doss	Lang	Turnham	
Benton	Downing	McCluskey	Waldrop	
Brassell	Drake	McNair	Warren	
Carter	Ellis	Mims	Wise	
Casey	Fite	Smith (K)		—22

And the bill:

H. 29. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Was taken up.

Mr. Ellis offered the following amendment #1 to the bill:

Amend H. B. 29, Section 1 by deleting the following:

“or a truck of manufacturers rated capacity of one ton or more,”

and adding the following:

“or a covered van truck 15,000 lbs gross vehicle weight or more,”

And the amendment was adopted.

Yeas 66; Nays 8.

Yeas:

Messrs.:	Crowe	Hughes	Pruitt	
Adams	Culver	Jackson	Reid (R)	
Agee	Dill	Jones (F)	Reynolds	
Bank	Doss	King	Roberts	
Barkett	Downing	McBride	St. John	
Barron	Drake	McCluskey	Smith (P)	
Bassett	Edwards	McDonald	Snell	
Boles	Ellis	McMillan	Stokes	
Boutwell	Falkenburg	McNair	Stubbs	
Brassell	Flippo	Manley	Timmons	
Burgess	Goodwin	May	Turner	
Carnes	Grey (D)	Meeks	Turnham	
Carter	Hardin	Merrill	Waggoner	
Casey	Harris	Owens	Waldrop	
Collins	Headley	Parker	Weeks	
Coshatt	Hill	Perloff	Wise	
Cottingham	Hobbie	Porter		—66

Nays:

Messrs.:	Fite	Lutz	Smith (K)	
Cauthen	Grainger	Nettles	Taylor	
Cross				—8

Mr. Ellis offered the following amendment #2 to the bill, H. 102 as amended:

Amend H. B. 29, Section 10, by deleting the date "January 1, 1972" and substituting in lieu thereof the date "January 1, 1974."

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Messrs.:	Doss	King	Porter
Adams	Downing	Lang	Pruitt
Agee	Drake	Lutz	Reid (R)
Bank	Edwards	McBride	Reynolds
Barkett	Ellis	McCluskey	Roberts
Barron	Erdreich	McDonald	St. John
Bassett	Falkenburg	McMillan	Smith (K)
Boles	Fite	McNair	Smith (P)
Boutwell	Flippo	Manley	Snell
Brassell	Goodwin	Mathews	Stokes
Burgess	Grainger	May	Stubbs
Carnes	Grey (D)	Meeks	Timmons
Carter	Hardin	Merrill	Turner
Casey	Harris	Naramore	Turnham
Cauthen	Headley	Nettles	Waggoner
Collins	Hill	O'Daniel	Waldrop
Coshatt	Hobbie	Owens	Weeks
Cottingham	Hughes	Parker	Wise
Cross	Jackson	Perloff	
Dill	Jones (F)		

—76

And the bill, H. 29 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 10.

Yeas:

Messrs.:	Cross	Hill	Parker
Adams	Dill	Hobbie	Perloff
Agee	Doss	Hughes	Reid (R)
Bank	Downing	Jones (F)	Reynolds
Barkett	Drake	King	Roberts
Barron	Edwards	Lang	St. John
Bassett	Ellis	Lutz	Smith (P)
Boles	Erdreich	McBride	Snell
Boutwell	Falkenburg	McDonald	Stokes
Brassell	Fite	McMillan	Stubbs
Burgess	Flippo	McNair	Taylor
Callahan	Goodwin	Mathews	Timmons
Carnes	Grainger	May	Turner
Casey	Grey (D)	Meeks	Turnham
Cauthen	Hale	Merrill	Waggoner
Collins	Hardin	Nettles	Waldrop
Coshatt	Harris	O'Daniel	Weeks
Cottingham	Headley	Owens	

—70

Nays:

Messrs.:	McCluskey	Pruitt	Wise
Carter	Mims	Smith (K)	Wood
Jackson	Naramore	Warren	

—10

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H. 191 POSTPONED

On motion of Mr. Ellis, the bill, H. 191, was postponed to the eighteenth legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Culver that the House adjourn until 12:00 o'clock noon, Thursday, July 12, 1973, was lost.

Yeas 27; Nays 60.

Yeas:

Messrs.:	Connell	Edwards	Mathews
Barkett	Coshatt	Fite	Merrill
Bassett	Crawford	Goodwin	Reid (R)
Burgess	Culver	Grey (D)	Reynolds
Callahan	Downing	Kinsey	Smith (K)
Carter	Drake	Lang	Snell
Casey	Easters	Manley	Weeks

—27

Nays:

Messrs.:	Ellis	Lutz	Porter
Adams	Erdreich	McBride	Pruitt
Adwell	Falkenburg	McCluskey	Roberts
Agee	Flippo	McDonald	St. John
Barron	Grainger	McMillan	Smith (P)
Benton	Hale	McNair	Stokes
Boles	Hardin	May	Stubbs
Boutwell	Harris	Meeks	Timmons
Brassell	Headley	Mims	Turner
Carnes	Hill	Naramore	Turnham
Cauthen	Hobbie	Nettles	Waldrop
Collins	Hughes	O'Daniel	Wallace
Cottingham	Jackson	Owens	Warren
Cross	Jones (F)	Parker	Wise
Dill	King	Perloff	Wood
Doss			

—60

And the bill:

H. 845. Relating to the Fifteenth Judicial Circuit; to provide for additional Circuit Judge in such Circuit; defining his jurisdiction, powers, right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Was taken up.

Mr. Taylor offered the following amendment to the bill:

Strike out Section 1 of H. 845 and insert in lieu thereof the following:

Section 1. There is hereby created an additional judgeship for the Fifteenth Judicial Circuit, which shall be designated Judgeship Number 4. The judge of such additional judgeship shall be elected at the next general election for any state officers for a term to expire at the next general election for circuit judges. His successor shall be elected at the next general election for circuit judges, and every six years thereafter, for the same term of office as other circuit judges of the Fifteenth Judicial Circuit.

Strike out Section 5 of H. 845 and insert in lieu thereof the following:

Section 5. The provisions of this Act are not severable. If any part of the Act is declared invalid, or unconstitutional, then the whole shall be deemed invalid or unconstitutional.

AMENDMENT TABLED

On motion of Mr. Harris, the amendment offered by Mr. Taylor was tabled.

Yeas 21; Nays 20.

Yeas:

Mr. Speaker	Drake	McBride	St. John
Bassett	Ellis	Manley	Snell
Boles	Falkenburg	May	Turner
Boutwell	Fite	Merrill	Wood
Brassell	Hughes	Pruitt	
Burgess	Jackson		

—21

Nays:

Messrs.:	Dill	Hill	McNair
Adams	Flippo	Hobbie	O'Daniel
Agee	Grainger	Jones (F)	Reid (R)
Barron	Grey (D)	Lang	Taylor
Carnes	Hale	McMillan	Timmons
Cross			

—20

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO POSTPONE

Mr. Taylor moved that the bill, H. 845, be postponed to the nineteenth legislative day.

MOTION TO SUSPEND RULES LOST

The motion of Mr. St. John to suspend the rules in order to bring up out of order the bill, H. 245, was lost.

MOTION TO TABLE LOST

The motion of Mr. Harris to table the motion offered by Mr. Taylor that the bill, H. 845 be postponed to the nineteenth legislative day, was lost.

H. 845 POSTPONED

The question was then on the motion offered by Mr. Taylor to postpone the bill, H. 845, to the nineteenth legislative day, and the motion was adopted.

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Yeas 28; Nays 6.

Yeas:

Messrs.:	Dill	Hobbie	Pruitt
Adams	Ellis	Jones (F)	Stokes
Barkett	Fite	Lutz	Taylor
Barron	Flippo	McBride	Waldrop
Bassett	Grainger	Manley	Wallace
Bowers	Grey (D)	Owens	Wynot
Burgess	Hale	Perloff	
Carnes	Hill		
			—28

Nays:

Messrs.:	McNair	St. John	Wood
Brassell	Meeks	Turnham	
			—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 279. To provide that a defendant in a criminal or quasi criminal action in this State may enter the plea of nolo contendere.

Was taken up.

H. 279 INDEFINITELY POSTPONED

On motion of Mr. Hobbie, the bill, H. 279, was indefinitely postponed.

Yeas 44; Nays 36.

Yeas:

Mr. Speaker	Crawford	Hill	Reynolds
Agee	Cross	Hobbie	Smith (K)
Bank	Dill	Hughes	Stubbs
Barkett	Easters	Jackson	Timmons
Barron	Edwards	Jones (F)	Waggoner
Bassett	Ellis	Kinsey	Waldrop
Boles	Fite	Lang	Wallace
Burgess	Goodwin	McCorquodale	Warren
Callahan	Grey (D)	Nettles	Weeks
Cauthen	Hale	Owens	Wise
Cottingham	Hardin	Reid (R)	Wynot
			—44

Nays:

Messrs.:	Brassell	Falkenburg	Lutz
Adams	Carnes	Flippo	McBride
Adwell	Carter	Grainger	McCluskey
Benton	Doss	Gray (F)	McDonald
Boutwell	Downing	Harris	McMillan
Bowers	Erdreich	King	McNair

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May
Meeks
Merrill
Naramore

Perloff
Porter
Pruitt

Roberts
St. John
Stokes

Taylor
Turnham
Wood

—36

And the bill:

H. 225. To authorize and provide for minute entries in misdemeanor cases appealed from a city recorder's court, county court, mayor's court, police court, or any municipal court, to the circuit courts or any other courts of record in Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Pruitt
Adams	Doss	Kinsey	Reid (R)
Agee	Downing	Lutz	Reynolds
Bank	Drake	McBride	Roberts
Barkett	Edwards	McCorquodale	St. John
Barron	Ellis	McDonald	Smith (K)
Bassett	Erdreich	McMillan	Smith (P)
Benton	Falkenburg	McNair	Snell
Boutwell	Fite	Manley	Stokes
Brassell	Flippo	Mathews	Taylor
Burgess	Goodwin	May	Timmons
Callahan	Grainger	Meeks	Turner
Carnes	Gray (F)	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Coshatt	Harris	O'Daniel	Warren
Cottingham	Hill	Owens	Weeks
Crawford	Hobbie	Parker	Williams
Cross	Hughes	Perloff	Wood
Culver	Jones (F)	Porter	Wynot

—84

And the bill:

H. 606. To amend further Section 630, Title 7, of Code of Alabama 1940, which relates to exemptions to garnishing of wages, so as to provide that the amount of said exemption shall never be less than the amount specified in the federal statutes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 1.

Yeas:

Messrs.:	Bassett	Callahan	Coshatt
Adams	Benton	Carnes	Cottingham
Agee	Boles	Carter	Crawford
Bank	Bowers	Casey	Cross
Barkett	Brassell	Cauthen	Crowe
Barron	Burgess	Connell	Culver

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Dill	Hobbie	Mims	Snell
Doss	Hughes	Naramore	Stokes
Downing	Jackson	Nettles	Stubbs
Drake	Jones (F)	Owens	Taylor
Edwards	King	Parker	Timmons
Ellis	Lang	Perloff	Turner
Fite	Lutz	Porter	Turnham
Flippo	McBride	Pruitt	Waggoner
Goodwin	McDonald	Reed (T)	Waldrop
Grainger	McMillan	Reid (R)	Wallace
Grey (D)	Manley	Reynolds	Warren
Hale	Mathews	Roberts	Williams
Hardin	May	Robertson	Wise
Harris	Meeks	St. John	Wynot
Hill	Merrill	Smith (K)	

—82

Nay: Mr. McNair.

—1

And the bill:

H. 604. (With Amendment): Creating a separate offense for driving a motor vehicle on public highways after the expiration of revocation imposed by the Director of Public Safety, but prior to compliance with other administrative requirements.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 604 in Section 1 by deleting the figures "\$200.00" and substituting in lieu thereof the figures "\$100.00".

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Messrs.:	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Agee	Dill	King	Roberts
Bank	Doss	Lutz	Robertson
Barkett	Downing	McBride	St. John
Barron	Drake	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Manley	Timmons
Brassell	Gafford	May	Turner
Burgess	Goodwin	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Casey	Hale	Nettles	Warren
Cauthen	Hardin	Owens	Weeks
Connell	Harris	Parker	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hill	Porter	Wynot
Crawford	Hobbie	Pruitt	
Cross	Hughes		

—88

And the bill, H. 604 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 1.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)	
Adams	Dill	King	Reynolds	
Adwell	Doss	Lutz	Roberts	
Agee	Downing	McBride	Robertson	
Bank	Drake	McCluskey	Smith (K)	
Barron	Edwards	McCorquodale	Smith (P)	
Bassett	Ellis	McDonald	Stokes	
Boles	Erdreich	McMillan	Stubbs	
Boutwell	Falkenburg	McNair	Taylor	
Bowers	Fite	Manley	Timmons	
Brassell	Flippo	Mathews	Turner	
Burgess	Gafford	Meeks	Turnham	
Callahan	Goodwin	Merrill	Waggoner	
Carnes	Grainger	Mims	Waldrop	
Carter	Grey (D)	Naramore	Wallace	
Casey	Hale	Nettles	Warren	
Cauthen	Hardin	Parker	Weeks	
Connell	Harris	Perloff	Williams	
Coshatt	Hill	Porter	Wise	
Cottingham	Hobbie	Pruitt	Wynot	
Cross	Hughes	.		—82

Nay: Mr. Owens.

—1

And the bill:

H. 602. To amend Section 9 of Act No. 2052 of the 1971 Legislature of Alabama so as to limit the liability of buyers of used goods valued at \$3000 or less.

Was taken up.

H. 602 POSTPONED

On motion of Mr. Wood, the bill, H. 602, was postponed to the eighteenth legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Adwell that the House adjourn until 12:00 o'clock noon, Thursday, July 12, 1973, was lost.

Yeas 39; Nays 49.

Yeas:

Messrs.:	Carter	Drake	Kinsey
Bank	Casey	Edwards	McCorquodale
Bassett	Coshatt	Fite	McDonald
Boutwell	Crowe	Goodwin	Manley
Bowers	Culver	Gray (F)	Mathews
Brassell	Doss	Grey (D)	Meeks
Callahan	Downing	Hardin	Merrill

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Naramore	Pruitt	Reynolds	Snell
O'Daniel	Reed (T)	St. John	Weeks
Perloff	Reid (R)	Smith (K)	Wynot

—39

Nays:

Mr. Speaker	Ellis	Lutz	Stokes
Adwell	Erdreich	McBride	Stubbs
Agee	Falkenburg	McMillan	Timmons
Barron	Flippo	McNair	Turner
Benton	Gafford	May	Turnham
Boles	Grainger	Mims	Waggoner
Carnes	Hale	Nettles	Waldrop
Cauthen	Headley	Owens	Wallace
Collins	Hill	Parker	Warren
Connell	Hobbie	Porter	Williams
Cottingham	Hughes	Robertson	Wise
Cross	Jackson	Smith (P)	
Dill	King		

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BILLS ON THIRD READING RESUMED

And the bill:

H. 601. Relating to the repeal of Code of Alabama (1940), Title 13, Section 406, pertaining to default judgments in justice of the peace courts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McMillan	Snell
Boles	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Taylor
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Merrill	Turnham
Callahan	Goodwin	Mims	Waggoner
Carnes	Grainger	Naramore	Waldrop
Carter	Gray (F)	Nettles	Wallace
Casey	Grey (D)	O'Daniel	Warren
Cauthen	Hale	Owens	Weeks
Collins	Hardin	Parker	Williams
Connell	Harris	Perloff	Wise
Coshatt	Hill	Porter	Wynot
Cottingham	Hobbie	Pruitt	

—91

And the bill:

H. 730. (With Substitute): To repeal Title 14, Sections 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on State Administration, said Committee substitute being as follows:

To repeal Title 14, Sections 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor, and to provide that the governing body of any county or incorporated municipality in this State may adopt reasonable rules and regulations relative to these prohibited acts.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 420, as amended, 421, as amended, and 422, Title 14, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the penalty therefor, are hereby repealed.

Section 2. The governing body of any county or incorporated municipality in this State may by resolution or ordinance adopt reasonable rules and regulations prohibiting certain activity within its jurisdiction on Sunday, and may provide penalties for the violation thereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jackson	Reed (T)
Adwell	Culver	King	Reid (R)
Agee	Downing	Kinsey	Reynolds
Bank	Drake	Lang	Roberts
Barkett	Easters	Lutz	Robertson
Barron	Edwards	McBride	St. John
Bassett	Erdreich	McCluskey	Smith (K)
Benton	Falkenburg	McDonald	Smith (P)
Boles	Flippo	McMillan	Snell
Boutwell	Goodwin	McNair	Stokes
Bowers	Grainger	Mathews	Taylor
Brassell	Gray (F)	May	Timmons
Carnes	Grey (D)	Naramore	Waggoner
Carter	Hale	Nettles	Waldrop
Casey	Hardin	O'Daniel	Weeks
Cauthen	Harris	Owens	Williams
Collins	Headley	Parker	Wise
Coshatt	Hill	Porter	Wynot
Cottingham	Hobbie		

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Mr. Cauthen offered the following amendment #1 to the bill, H. 730 as amended:

Amend Section 3 of the substitute to H. B. 730 to read as follows:

"Section 3. This Act shall become effective ninety (90) days after its passage and approval by the Governor, or upon its otherwise becoming a law."

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And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Pruitt
Adams	Culver	Kinsey	Reed (T)
Agee	Dill	Lang	Reid (R)
Bank	Downing	Lutz	Reynolds
Barkett	Drake	McBride	Roberts
Barron	Easters	McCluskey	Robertson
Bassett	Edwards	McCorquodale	St. John
Benton	Erdreich	McDonald	Smith (K)
Boutwell	Falkenburg	McMillan	Smith (P)
Bowers	Flippo	McNair	Snell
Brassell	Goodwin	Manley	Stokes
Carnes	Grainger	May	Taylor
Carter	Gray (F)	Meeks	Timmons
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Porter	Wynot
Cross	Jackson		

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Mr. Cauthen offered the following amendment #2 to the bill, H. 730 as amended:

Amend Section 1 of the Substitute to H. B. 730 by adding thereto the following:

"Provided, however, this Act shall in no way repeal or invalidate any local act or general act of local application now or hereafter enacted, nor shall it be interpreted to prevent the Legislature from enacting any such local act or general act of local application."

And the amendment was adopted.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker	Collins	Gray (F)	McMillan
Adams	Connell	Grey (D)	Manley
Adwell	Coshatt	Hale	May
Agee	Cottingham	Hardin	Meeks
Bank	Cross	Harris	Naramore
Barkett	Crowe	Headley	Nettles
Barron	Culver	Hill	Owens
Bassett	Dill	Hobbie	Parker
Benton	Downing	Hughes	Porter
Boles	Drake	Jackson	Pruitt
Boutwell	Easters	King	Reed (T)
Bowers	Edwards	Kinsey	Reid (R)
Brassell	Erdreich	Lang	Reynolds
Carnes	Falkenburg	Lutz	Roberts
Carter	Flippo	McBride	Robertson
Casey	Goodwin	McCluskey	St. John
Cauthen	Grainger	McDonald	Smith (K)

Smith (P)	Taylor	Waggoner	Williams	
Snell	Timmons	Waldrop	Wise	
Stokes	Turner	Wallace	Wynot	
Stubbs	Turnham	Weeks		—83

Nay: Mr. McNair. —1

Mr. Barkett offered the following amendment to the bill, H. 730 as amended:

Add the following sentence to the end of Section 2:

Provided, however, that such resolutions or ordinances shall not discriminate between types of businesses by allowing one type or kind of business to sell goods or items that other business are prohibited from selling on Sunday.

And the amendment was adopted.

Yeas 71; Nays 5.

Yeas:

Mr. Speaker	Doss	Hughes	Pruitt	
Adams	Downing	Jackson	Reed (T)	
Adwell	Drake	King	Reid (R)	
Bank	Easters	Lutz	Reynolds	
Barkett	Edwards	McBride	Roberts	
Barron	Erdreich	McCorquodale	Robertson	
Bassett	Falkenburg	McDonald	St. John	
Boutwell	Flippo	McMillan	Smith (K)	
Brassell	Gafford	McNair	Snell	
Carnes	Goodwin	Manley	Stokes	
Carter	Grainger	May	Stubbs	
Collins	Gray (F)	Meeks	Waggoner	
Connell	Grey (D)	Mims	Waldrop	
Coshatt	Hale	Narmore	Warren	
Cottingham	Hardin	Nettles	Weeks	
Cross	Harris	Owens	Wise	
Crowe	Headley	Parker	Wynot	
Culver	Hobbie	Porter		—71

Nays:

Messrs.:	Hill	Taylor	Turnham	
Agee	McCluskey			—5

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:20 P.M. on July 10, 1973

H. J. R. 91

H. J. R. 99

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H. J. R. 100

H. J. R. 106

H. J. R. 107

H. J. R. 108

H. J. R. 109

H. J. R. 110

H. J. R. 113

Delivered to the Governor at 4:00 P.M. On July 10, 1973.

H. J. R. 123

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Headley, the House adjourned until 12:00 o'clock noon, Thursday, July 12, 1973.

Yeas 43; Nays 42.

Yeas:

Messrs.:	Casey	Hobbie	O'Daniel
Adams	Coshatt	Kinsey	Pruitt
Agee	Crawford	Lang	Reid (R)
Bank	Crowe	McDonald	Reynolds
Boles	Culver	Manley	Roberts
Boutwell	Downing	Mathews	Smith (K)
Bowers	Drake	May	Snell
Brassell	Edwards	Meeks	Stubbs
Burgess	Goodwin	Merrill	Taylor
Callahan	Grey (D)	Mims	Turnham
Carter	Headley	Naramore	Weeks

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Nays:

Messrs.:	Easters	Jackson	Roberts
Barkett	Erdreich	King	St. John
Barron	Falkenburg	Lutz	Stokes
Benton	Flippo	McBride	Turner
Carnes	Gafford	McCluskey	Waggoner
Cauthen	Grainger	McMillan	Waldrop
Connell	Gray (F)	McNair	Wallace
Cottingham	Hale	Nettles	Warren
Cross	Hardin	Owens	Williams
Dill	Hill	Parker	Wise
Doss	Hughes	Porter	

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EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 12, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Chester Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Mims	Waldrop
Cauthen	Hale	Naramore	Wallace
Chesnut	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hearn	Parker	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Porter	Wynot
Cross	Hughes	Pruitt	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventeenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the seventeenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventeenth legislative day was approved.

LEAVES OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

At the request of Mr. Cauthen, leave of absence was granted for Mr. Slate due to illness in the family.

At the request of Mr. Downing, leave of absence was granted for Mr. Therrell due to death in the family.

BILLS ON SECOND READING

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1181. To reenact Act No. 88, H. 74 of the Special Session of 1959 (Acts 1959, p. 148), which may have been inadvertently repealed by Act No. 48, H. 413 of the current session, which said Act No. 88 relates to privileges and immunities of members of the Legislature.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1405. To provide that any person in this state at the arrival at the age of eighteen years shall be relieved of their disabilities of minority.

H. 517. Relating to the uniform commercial code, amending Sections 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

H. 1295. To amend Section 38, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists, when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place, and providing notice be given the electors of their voting location.

H. 653. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945 p. 478), an act providing for appointment and designation of Supernumerary Circuit Judges.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 859. (With Substitute): To further amend Section 1 of Act 288, S. 161, Regular Session (Acts 1945, p. 478) as amended, to provide requirements to qualify as a Supernumerary Circuit Judge; to provide for the termination of all Supernumerary Circuit Judgeships when all circuit judges holding office on the effective date of this amendatory act or assuming office within one year from the effective date shall have vacated the office of Supernumerary Circuit Judge through death or otherwise.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1255. Relating to law enforcement officers; requiring any unit or agency of state, county or municipal government which employs any duly authorized law enforcement officer to reimburse such officer who is sued or prosecuted for any act committed or done within the line and scope of his duties, for legal counsel fees, witness fees and court costs paid in defense of such suit or prosecution; authorizing the attorney general to prescribe the method of determining whether the act in question was committed in line of duty; and to repeal conflicting laws.

H. 1238. Relating to crimes and offenses, further regulating the suspension of sentences of persons convicted of crimes.

H. 1296. Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 697. (With Substitute): To adopt minimum standard building codes for the State of Alabama; to provide for the revision of these codes; to allow local modification of these codes; and to authorize local governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1308. To provide for a state supplement to the Chief Deputy District Attorney in the 11th Judicial Circuit.

H. 968. To provide for a fine for the abandonment of domestic animals.

H. 969. Providing for licensing of pet shop operators and dog dealers or combination thereof regulating such business, and providing penalties for violations thereof.

H. 1149. To permit and provide a procedure for the amendment to the certificate of incorporation of any medical clinic board now existing or hereafter incorporated under the provisions of Act No. 516 of the 1955 Regular Session of the Legislature (General Laws of Alabama, 1955, p. 1160 et seq.) approved September 9, 1955, as amended, and to validate amendments heretofore adopted and filed in substantial compliance with the procedures of this Act.

H. 1150. To empower and authorize each corporation organized under the Alabama Non Profit Corporation Act (Acts of 1955, p. 1254, approved September 12, 1955) as amended, and each other corporation not of a busi-

ness character organized under, or created by, any statute of the State of Alabama, to guarantee or stand surety for the obligations of another non profit corporation if the articles of incorporation of such corporation grant such power to it.

Mr. Downing, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1084. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745) as amended, which Act regulates the conduct of the Real Estate business in Alabama, by providing that expenditures of the Real Estate Commission may be approved and authorized by the Director of the Real Estate Commission and validating all expenditures of the Commission which were made since October 1, 1972, on the signature of the Director.

H. 1085. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745), as amended which Act regulates the conduct of the real estate business in Alabama to provide that all licensed real estate brokers shall display a sign at their place of business, and granting the Real Estate Commission the authority to prescribe the dimensions and form of such sign.

Mr. Downing, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 272. (With Substitute): To further amend Section 18, as last amended, of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), entitled "An Act requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Russell County to the list of counties to which the Act shall not apply.

Mr. Downing, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1227. A bill to authorize the governing body and election officials of those counties using voting machines which produce printouts that contain all required data regarding registering or recording and computing the vote at all elections to use such printout sheets and to make any required certificates or statements thereon; to provide that such shall satisfy the provisions of Alabama Code 1940, Title 17, Chapter 1, Article 7.

H. 1262. To create a Governor's Advisory Committee on Regional Planning and Development to advise the Governor and the Legislature on planning, service delivery, physical and human resource development and related matters within the substate planning and development districts; to provide for its membership; to require such committee to meet with the Governor semi-annually; to make an annual and semi-annual report to the Governor; provide for distribution of the annual report; to provide for the employees of the committee; and to provide for the funds for operation of such committee.

Mr. Downing, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 809. (With Substitute): To amend further Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, which Act regulates the conduct of the real estate business in Alabama, by including travel expenses for certain officials of the Real Estate Commission, by exempting license fees from the Consumer Credit Act of 1971; by revising the requirements for license; by revising the appeals procedure; and by repealing the requirement for the posting of a roster for licensees.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1337. To establish the Alabama Board of Hearing Aid Dealers; to provide for licensure of persons who are dealers and fitters of hearing aids; to provide for the regulation of dispensing and fitting of hearing aids to the public; to provide for hearings for persons who are denied a license or have their license suspended by the Alabama Board of Hearing Aid Dealers; to repeal conflicting Acts, especially Act No. 2425, H. 392, Regular Session 1971 (Acts 1971, p. 3858); and to provide for penalties and punishment for violation of any of the provisions of this Act.

Mr. Pruitt, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 18. (With Substitute): To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Mr. Pruitt, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 862. To provide for the establishment of off-premise, unattended electronic banking facilities; to exclude such facilities from the regulations of branch banking; to provide restrictions on the use thereof.

H. 1120. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

H. 1121. To further amend Act No. 603, H. B. 69, Regular Session 1957 (Acts 1957, p. 862), as amended, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies, so as to regulate further the fees imposed for examination of credit unions.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1151. (With Amendment): Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

H. 126. (With Amendment): To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1264. To provide that itemized repair bills shall be admissible as evidence without further proof.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1356. To further amend Sections 2 and 8 of Act #46 Second Special Session 1955 so as to conform to the Federal Egg Products Inspection Act, and to further insure the highest quality eggs for the consumers.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 711. Further regulating deductions from penitentiary and hard labor sentences for good behavior; Amending Section 1 of Act No. 534, S. B. 353, Regular Session 1943, (Acts 1943, p. 508), and repealing Act No. 481, H. B. 552, Regular Session 1953, (Acts 1953, p. 600).

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments and it was read a second time and placed on the Calendar, to-wit:

H. 1294. (With Substitute) (With Amendments): To prohibit beating or flogging of convicts by prison officials, employees or other prisoners; to prohibit solitary confinement of prisoners; to prohibit all discrimination in clothing, feeding and housing of prisoners; and to establish a penalty for the violation of the provisions of this act.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1263. Regulating the construction of apartment houses or single apartments; requiring two separate stairways or exits as a means of regress from either end of an apartment; providing for inspection of, and penalties for, the conformity or violation of this act.

H. 1282. Providing convicted criminals credit for time spent in a city or county jail awaiting trial or sentencing for a crime of which he is convicted.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 510. To authorize the governing body of any county or the governing body of any municipality within the county to establish within the county or within the municipality ambulance service on a non-profit basis; to authorize the county to unite with any municipality within the county or two or more municipalities within the county, to unite with each other or together with the county, in the establishment of such ambulance service, making such service common for the use of the county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by the county or any municipality; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality from tort liability while operating ambulances or providing ambulance service as authorized herein.

H. 864. To repeal Title 37, Section 413, Code of Alabama 1940, which prohibits any municipal officer from being employed by a corporation holding a franchise granted by the city or the state involving the use of streets of the municipality.

H. 916. To amend Title 51, Section 616, Code of Alabama 1940, providing for payment of a license fee by warehousemen, so as to eliminate the provision that a warehouseman-distributing agent pay an additional license fee.

H. 1069. To authorize a transfer between certain funds of the State Docks Department, amending Section 15 of Act No. 311, H. 253, approved August 20, 1957, an act providing for development of inland docks (Acts of Alabama 1957, Vol. I, P. 408), and providing that the amendment shall have retroactive effect.

H. 1097. To change the effective date of Act No. 392, General Acts 1967, page 979, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 895. (With Substitute) (With Amendment): Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the attorney general to enforce and administer this Act and defining his powers and duties relative thereto; creating and providing for the appointment, term, duties and compensation of an advisory board on licensing of employment agencies to assist the attorney general in administering this Act; prescribing penalties; and repealing conflicting laws.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1191. To authorize the governing bodies of the several counties of Alabama to pay all expenses incurred by the Circuit Court Clerks and Registers or other like official by membership in their State organization.

H. 1248. To supplement Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as heretofore amended, so as to provide a comprehensive system of law applicable to any corporation organized pursuant to the said Act, the service area of which includes a resort area and which has obtained the express approval of the governing body of each county in which it carries on its operations to exercise the powers conferred hereby; to permit such a corporation to construct improvements consisting of sanitary sewers and sewer facilities in resort areas located within its service area which are outside the corporate limits of any municipality and within the service area of such corporation; to provide a method for the assessment of the cost of any such improvements against the property abutting on, or drained, served, or benefited by such improvements; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the

making of such final assessment; to provide a system for payment of all assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1274. (With Amendment): Prohibiting the charge of an admission fee for entrance to the grounds of Cheaha State Park.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1283. To amend Section 8 of Act No. 42 enacted at the 1971 Regular Session of the Legislature, and approved June 29, 1971, relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$50,000,000 and to extend the maximum period of repayment of Authority bonds.

H. 1385. To provide for the creation of public corporations as political subdivisions of the State by initiation of City and County governments within the various counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the Judge of Probate in the County where the participating governing bodies function, to provide for the method

of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with the Judge of Probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other State and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

H. 1303. Relating to Walker County; to provide further for the distribution of fines and forfeitures in certain cases.

H. 1323. Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1324. Relating to Butler County; providing the members of the Butler County Commission with an additional per diem expense allowance.

H. 1328. To Amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the oper-

ations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a nonforeclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall

be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

The above bill was read a second time at length as required by the Constitution.

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

H. 1362. Applying to Cullman County; to increase the expense allowance of certain county officers.

H. 1366. Relating to Pickens County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1368. To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

H. 1396. To authorize establishment of branch banks in the City of Pell City in St. Clair County.

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

H. 1399. To amend Section 9 of Act No. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

H. 1402. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 822. To amend Sections 1, 6, 7, and 9 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city and for the widows and dependents of such officers and employees, to provide for a custodian of such fund and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose."

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 858. (With Amendment): To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 785. To amend Section 3.07 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

H. 650. To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alteration and extension.

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on

a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1083. (With Amendment): To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1081. (With Amendment): To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 1049. (With Amendment): To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 787. (With Amendment): To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

H. 145. (With Amendment): To provide for the assessment, amount and use of additional taxes as court costs in all cases docketed in the Circuit Court in the Tenth Judicial Circuit.

H. 836. (With Amendment): To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 784. (With Amendment): To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment and it was read a second time and placed on the Calendar, to-wit:

H. 776. (With Amendment): To fix the compensation or salary of the Assistant to the Sheriff of any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 689. In all counties having a population of 500,000 or more according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 649. (With Amendment): To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 639. (With Amendments): To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

H. 638. (With Amendments): To fix the compensation or salary of the assistant Tax Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

H. 636. (With Amendments): To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 635. (With Amendment): To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

H. 287. (With Amendment): To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1066. (With Amendments): To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1407. Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 949. To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

H. 1256. A bill to alter and rearrange the boundary lines of the city of Atmore, Alabama, so as to include within the corporate limits of said city all territories now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous to said city.

H. 1293. To Alter or rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1292. (With Amendment): Relating to all counties with a population of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

S. J. R. 60. Naming the Health and Physical Education Building at Jacksonville State University the Pete Mathews Coliseum.

On motion of Mr. Merrill, the resolution, S. J. R. 60, was concurred in and adopted.

Also:

H. J. R. 27. Inviting the Alabama Vietnam POW's to appear before the Legislature.

On motion of Mr. Bank, the resolution H. J. R. 27, was adopted.

Also:

H. J. R. 134. Deploing the system of applying birth control methods without proper information.

On motion of Mr. Reed (T), the resolution H. J. R. 134, was adopted.

Also:

S. J. R. 54. Mourning the death of Judge William B. Nolen of Ashland.

On motion of Mr. Grainger, the resolution, S. J. R. 54, was concurred in and adopted.

Also:

H. J. R. 112. Declaring the intent of the Legislature not to repeal Code of Alabama, Recompiled 1958, Title 32, Section 11 (1), Pocket Supplement.

On motion of Mr. Lyons, the resolution, H. J. R. 112, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution, H. J. R. 57, and ordered same returned to the House with a favorable report, with substitute:

H. J. R. 57. Condemning the manner in which the Tuskegee syphilis study was conducted, requesting an end thereto and demanding that the participants be compensated by the United States Government.

Said substitute being as follows:

"CONDEMNING THE MANNER IN WHICH THE TUSKEGEE SYPHILIS STUDY WAS CONDUCTED, REQUESTING AN END THERE-TO AND DEMANDING THAT THE PARTICIPANTS BE COMPENSATED BY THE UNITED STATES GOVERNMENT."

WHEREAS, the Public Health Service, an agency of the United States Government began a Study of the effect of the disease of Syphilis in 1932, and selected some six hundred (600) black, rural, uneducated males, who were residents of Macon County, Alabama, four hundred (400) of whom were affected with Syphilis; and

WHEREAS, said Alabama residents, were never advised that they had Syphilis, nor that they were participants in a Study, but were misled into believing that they were participating in a health clinic and were being treated for whatever illness they had; and

WHEREAS, to induce them to participate in said Study, the Public Health Service used various methods to maintain and stimulate their interest, including the offer of free medicine except for Syphilis, burial assistance, free hot meals on days of examination, transportation to and from the hospital on examination days and an opportunity to stop in town on return trips to shop or visit with their friends; and

WHEREAS, these Alabama residents, were never informed that they had Syphilis, and were not treated for Syphilis even after Penicillin became available; and

WHEREAS, the sole purpose of the Study was to observe the participants during their lifetime and not treat them for Syphilis so that they could compare the untreated Syphilitic persons with persons who did not have Syphilis, and thus observe the effect of Syphilis during their lifetime, and have autopsies performed on them after their death; and

WHEREAS, any number of the participants died as a direct result of having had Syphilis; and

WHEREAS, these Alabama residents have been used as human guinea pigs for a period of more than forty (40) years and were deceived by agents of the Public Health Service, an agency of the United States Government; and

WHEREAS, these Alabama residents who were participants in this study have suffered physically, economically, emotionally and socially as a result of their unwitting participation in this Study; and

WHEREAS, the Public Health Service of the United States Government has conducted this program in such a manner that for many years, the Study was not generally known to the public, and has only in recent months become known to the public generally; and

WHEREAS, the people of Alabama, the Legislature of Alabama, and the people of the nation are shocked and appalled by the manner in which the Tuskegee Syphilis Study was conducted by the Public Health Service, an agency of the United States Government; and

WHEREAS, a United States Senate Health Subcommittee is currently conducting a public hearing on "The Tuskegee Syphilis Experiment"; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama, condemns the manner in which the Tuskegee Syphilis Study was conducted, and the manner in which the participants who were residents of the State of Alabama were treated, and hereby call upon the Government of the United States and all of its agencies connected therewith to end said Study forthwith.

BE IT FURTHER RESOLVED, That the Legislature of Alabama call upon the United States Congress to enact appropriate legislation or that the Government take appropriate steps toward compensating the surviving participants in the Tuskegee Study and the heirs of the deceased participants in the Tuskegee Study.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to each member of the Congressional Delegation of Alabama, to the Secre-

tary of the Department of Health, Education and Welfare, and to Senator Edward M. Kennedy, Chairman of the Senate Health Subcommittee on the Tuskegee Syphilis Experiment.

And the substitute reported by the Standing Committee on Rules was adopted.

On motion of Mr. Gray (F), the resolution, H. J. R. 57 as amended, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 133. Relative to rotating the command and officers of the 30th Armored Division

On motion of Mr. Jones (F), the resolution was adopted.

Also:

H. J. R. 129. Commending the officers and men of the Coast Guard Cutter Point Verde and extending appreciation of the Legislature.

On motion of Mr. Callahan, the resolution was adopted.

Also:

H. J. R. 114. Naming a portion of the public highway known as the Highway No. 72 By-Pass location in Scottsboro the "John T. Reid Parkway."

On motion of Mr. Williams, the resolution was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution, H. R. 128, and ordered same returned to the House with a favorable report, with substitute, said committee substitute being as follows:

WHEREAS, John Pemberton has dutifully served the Alabama House of Representatives as its Clerk since 1963; and

WHEREAS, during his 10 years of service, the said John Pemberton's time and efforts have been given generously and unselfishly; and

WHEREAS, the said John Pemberton has demonstrated outstanding dedication, unequaled industry, unimpeachable integrity, and unquestioned loyalty;

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That the said John Pemberton is hereby commended for his years of dedicated service and the members of the House do hereby express their sincere appreciation to the said John Pemberton for the dignity, dispatch and legality with which he performed his many duties.

MOTION TO TABLE LOST

The motion of Mr. Nettles to table the substitute to the resolution, H. R. 128, reported by the Standing Committee on Rules, was lost.

Yeas 2; Nays 62.

Yeas: Messrs. Hale and Nettles.

—2

Nays:

Mr. Speaker	Crowe	Jackson	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Smith (K)
Bank	Downing	Lutz	Snell
Barron	Drake	McCluskey	Stewart
Boutwell	Edwards	McCorquodale	Stokes
Burgess	Ellis	Manley	Stubbs
Callahan	Gafford	May	Timmons
Carnes	Goodwin	Merrill	Waggoner
Casey	Grainger	Mims	Waldrop
Chesnut	Hardin	Naramore	Wallace
Collins	Harris	Owens	Weeks
Connell	Headley	Porter	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reid (R)	Wynot
Cross	Hughes		

—62

And the substitute was adopted.

And the resolution, H. R. 128 as amended, was adopted.

POINT OF PERSONAL PRIVILEGE

At the request of Mr. Reid (R), the following comments were read and ordered entered in the Journal:

Mr. Speaker, Mrs. Wynot, and Gentlemen:

I arise to a point of personal privilege.

When I ran for the Legislature from Blount County, I had Republican opposition. Shortly thereafter, a very close friend of my Republican opponent became the U. S. District Attorney for the Northern District of Alabama. This man, the District Attorney, was my neighbor and I mistakenly treated him as and considered him a friend, but because I defeated my Republican opponent, the District Attorney, Mr. Waymon Sherrer, used the influence of his office and all the facilities of the United States Government to indict me on several frivolous counts. This worked an undue hardship on me, it was embarrassing to my family, and the indictment was founded on no facts whatsoever. Even with the limited resources I have, I was able to acquire excellent representation, one of our members, and with all the facilities of the United States Government at his hands, the District Attorney failed to convict me on any count. The charges were so absurd that the jury was out for a very short period of time.

My point is that I have seen people who are connected with the Republican Party go to all extremes to better themselves, regardless of the uncalled-for expense and discomfort caused to others. It is a trademark of the Republi-

can Party that they hit below the belt if it betters them in any way. Because I had the audacity to defeat a Republican, he used all the energy, efforts and funds of Federal money to trump up charges against me. But the people spoke loud and clear on the day the twelve jurors returned a "Not Guilty" verdict. It is interesting to note that they only hit when a person is unable to strike back. It would be about like Auburn or Alabama challenging a high school to a football game. I think with Watergate, and the sales of all the grain to Russia which has resulted in a tremendous increase in the cost of living for all Americans, that the people are going to retire to private life these Republicans who do not go to prison, come the next election.

We have seen a man attempt to have a man convicted who has broken no laws and is empowered to do what he does by the laws of the State of Alabama. I am sure Mr. Nettles, being a lawyer, can perhaps find these acts that provide the same. I for one am tired of hearing all of this stuff, and it is quite obvious that it is for political gains on the part of Mr. Nettles.

It is interesting to note that the first time Mr. Nettles attacked, he ran for the United States Senate, but he received something less than five thousand votes. Is it logical to assume that he is now beginning to seek another office, because he is using the same unethical tactics that he used at that time? If this type thing continues, I am going to ask the House to consider a censure resolution.

I request that the Clerk enter this into the Journal of the House, along with the following questions directed to Mr. Nettles:

Question No. 1:

In your law practice, do you represent insurance companies?

Question No. 2:

Have you abstained from voting in Committees and on the floor of the House on matters that would affect adversely the interests of insurance companies?

Question No. 3:

Did you file on behalf of a client an action in the Federal Court seeking to abolish the Milk Control Board?

Question No. 4:

After you were unsuccessful in the Federal Court, did you file in 1971 House Bill No. 436 which sought to abolish the Milk Control Board?

Question No. 5:

Do you not consider these things to be a conflict of interests?

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Kinsey and Benton:

H. 1413. To make it a misdemeanor to pick wild sea oats on the beaches of this State.

Conservation

By Messrs. Grainger, Erdreich, Boles, Hearn, Culver, Hale, Smith (P), St. John, Wynot, Carnes, Boutwell, King, Lutz, Weeks and Mims:

H. 1414. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions, and industry, and to require counties and municipalities to provide for the collection and disposal of solid wastes and authorize them to charge a fee therefor, and to contract for such services to be performed by others and to permit the formation of districts for areas beyond corporate limits or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting authority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act and rules and regulations pursuant thereto in the interest of the public health, comfort and safety.

Health

By Mr. Mathews:

H. 1415. To authorize the governing body of all counties having a population of not less than 12,000 nor more than 12,800 according to the last or any subsequent federal decennial census, to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1

By Mr. Mathews:

H. 1416. Amending Section 1 of Act No. 121, H. 22, Special Session 1971 (Acts 1971, p. 204), fixing the fee for pistol permits in counties having a population of not less than 10,660 nor more than 10,900, so as to provide for the distribution of fees collected by issuance of such permits.

Local Legislation No. 1

By Mr. Mathews:

H. 1417. To provide for the compensation of circuit court bailiffs in all counties having a population of not less than 10,660 nor more than 10,900 according to the last or any subsequent federal decennial census.

Local Legislation No. 1

By Mr. Mathews:

H. 1418. To provide that the county commissions of all counties having populations of not less than 10,660 or no more than 10,900, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

Local Legislation No. 1

By Mr. Mathews:

H. 1419. To authorize the sheriff of counties having a population of

not less than 10,660 nor more than 10,900 to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Local Legislation No. 1

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 1420. To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Local Legislation No. 1

Notice and Proof H. 1420:

A BILL
TO BE ENTITLED
AN ACT

To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Marengo County may provide an allowance of \$215.00 per month for clerical assistance to the county tax assessor and \$200.00 per month for clerical assistance to the county tax collector. Such amounts shall be paid out of the general fund of the county on warrants issued by the chairman of the county governing body.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act, upon passage, shall become effective on October 1, 1973 and shall terminate and become null and void on October 1, 1979.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared James T. McKay, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1973.

JAMES T. MCKAY

Sworn to and subscribed before me July 11, 1973.

DOROTHY C. THOMPSON,
Notary Public.

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By Messrs. Bassett and Hardin (With Notice and Proof):

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1421:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners of Pike County is hereby authorized and empowered to appropriate from the gasoline tax funds of said county a sum not exceeding \$1800.00 to the use and benefit of the City of Ozark, Alabama, to compensate it for damages sustained as a result of damage to its automobile caused by a collision with a truck owned and being operated by Pike County. The Legislature finds and declares that the claim of the said City of Ozark arose under such circumstances that the county is justly and equitably obligated to compensate the said claimant, but it has no legal recourse to recover its damages from the county.

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PIKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lamar Benton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, 22, 29, and July 6, all in the year 1973.

LAMAR BENTON.

Sworn to and subscribed before me July 9, 1973.

PHYLLIS BRYAN,
Notary Public.

By Messrs. Bassett and Hardin (With Notice and Proof):

H. 1422. Relating to Pike County, to provide that the Sheriff shall be

entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No.1

Notice and Proof H. 1422:

STATE OF ALABAMA
COUNTY OF PIKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Pike County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PIKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lamar Benton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, 22, 29 and July 6, 1973.

LAMAR BENTON.

Sworn to and subscribed before me July 9, 1973.

PHYLLIS BRYAN,
Notary Public.

By Messrs. Bassett and Hardin (With Notice and Proof):

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

Local Legislation No. 1.

Notice and Proof H. 1423:

STATE OF ALABAMA
COUNTY OF PIKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Pike County is hereby authorized and empowered to appropriate from the gasoline tax funds of said county a sum not exceeding \$1,642.15 to the use and benefit of Troy Hospital Board, doing business as Edge Memorial Hospital, to compensate it for hospitalization and medical services rendered by it to James Smoots, a temporary employee of Pike County who, because of the temporary nature of his employment, was not covered by the county's group insurance plan, for treatment of injuries received by him in the course of his employment by Pike County. The Legislature finds and declares that the claim of said Troy Hospital Board, doing business as Edge Memorial Hospital, arose under such circumstances that the county is justly and equitably obligated to compensate the said claimant, but it has no legal recourse to recover its damages from the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PIKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lamar Benton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, 22, 29 and July 6, 1973.

LAMAR BENTON.

Sworn to and subscribed before me July 9, 1973.

PHYLLIS BRYAN,
Notary Public.

By Messrs. Burgess, Stewart and Merrill (With Notice and Proof):

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

Local Legislation No. 1.

Notice and Proof H. 1424:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of the city of Jacksonville is hereby authorized to establish, maintain and operate an ambulance service to promote the health, welfare and safety of residents of said city, and of the county in which said city is located, and of areas in general proximity thereto and to other persons traveling within said city, the county and areas of general proximity. Toward this end said city may appropriate public funds, employ such personnel and purchase and maintain such equipment and other facilities as may be necessary for such purpose.

Section 2. The governing body of the city of Jacksonville shall provide rules and regulations for the operation of such ambulance service which shall include when necessary or advisable, the transportation of ill or injured persons to or from hospitals in metropolitan areas of this state, and may authorize the service to charge and collect fees for services rendered. Provided, that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Almus J. Thornton, who, being by me

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first duly sworn, deposes and says that during the times herein mentioned he was Sec-Tres. of The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 7, 14, 21 and 28, all in the year 1973.

ALMUS J. THORNTON.

Sworn to and subscribed before me June 11, 1973.

LOLA J. BRIGHT,
Notary Public.

By Messrs. King, Hearn, Hale and Lutz:

H. 1425. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, p. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judicial Circuit, so as to further regulate the compensation of said deputy district attorney.

Ways and Means.

By Messrs. King, Lutz, Erdreich, Boutwell, McMillan and Cauthen:

H. 1426. To provide for the allocation of funds to be used for the construction and maintenance of footpaths and bicycle trails and to provide for the administration of said program.

Commerce and Transportation.

By Mr. Casey (With Notice and Proof):

H. 1427. To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Local Legislation No. 1.

Notice and Proof H. 1427:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and

the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Cleburne County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or nonresidents of the county, or have otherwise become disqualified from voting in Cleburne County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January, 1974. No person whose name is removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote.

Section 3. Prior to the first day of January, 1974, the board of registrars of Cleburne County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary, to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein. No voter shall appear and reidentify himself at any place except in the beat in which he resides or in the courthouse of the county.

Section 4. Each member of the board of registrars shall receive ten dollars per day, for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars in the beat in which he resides, or by appearing

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before the judge of probate, or either of the clerks in the office of the judge of probate, or before the board of registrars in regular session, and answering such questions and submitting such proof under oath, as the board may require in order to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county.

Section 6. The board of registrars shall meet on the first Monday in January 1974, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves in the manner herein prescribed shall be stricken from the lists, provided, however, that said board shall not strike the name of any person, or of the spouse of any person, known by any member of said board, or made known to the said board by the written affidavit of another qualified elector, to be in active duty of any of the armed forces of the United States of America, and to be stationed, or to be living with her or his spouse, as the case may be, outside Cleburne County, Alabama, during the period of time from the effective date hereof to January 1, 1974.

Section 7. Any qualified elector of the county who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided shall be entitled to have his name restored to the list of qualified electors by appearing in person at the office of the board of registrars, or at the office of the judge of probate, and answering such questions and submitting such proof, under oath, as the board may require to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, every qualified elector must have reidentified himself at least 10 days prior to the election at which he offers to vote; provided further, however, that this Act shall not be construed or applied to impair or deny the right to vote in person or by absentee ballot of any person or of the spouse of any person, now a qualified elector of said county, who is in active duty of any of the armed forces of the United States of America and stationed, and, as to the spouse, who is living with her or his husband or wife as the case may be, outside of Cleburne County, Alabama, during the period of time from the effective date hereof to January 1, 1974.

Section 8. The court of county commissioners of Cleburne County is hereby authorized, directed, and required to furnish the board of registrars with the supplies, equipment, printed forms, stationery and newspaper advertisements necessary for the reidentification of voters as herein provided.

Section 9. The questionnaire to reidentify a voter shall be in substantially the following form.

Section 10. Any person who willfully makes a false statement to the board of registrars, or any duly authorized person, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor and publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Mr. Casey (With Notice and Proof):

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Local Legislation No. 1.

Notice and Proof H. 1428:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cleburne County is hereby authorized to employ up to two persons to provide clerical and administrative assistance of the tax collector's office. The governing body of said county is further empowered to set the salaries of the two assistants, if the governing body decides to hire such persons.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor and publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, 10, 17, and 24, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Mr. Casey (With Notice and Proof):

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

Local Legislation No. 1.

Notice and Proof H. 1429:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cleburne County is hereby authorized to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office. The governing body of said county is further empowered to set the salaries of the two assistants, if the governing body decides to hire such persons.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor and publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 18, 26, May 3, and 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Mr. Casey (With Notice and Proof):

H. 1430. To amend Sections 7 and 9 of Act No. 2100, H. 1930, Regular Session 1971, (Acts 1971, p. 3369), which relates to the creation, jurisdiction, organization and functions of the Cleburne County Intermediate Court; to provide that the judge of said court receive a monthly expense allowance of \$275.00 in addition to his regular compensation; and to abolish the cost system in criminal cases and add in lieu thereof a standard fee of \$10.00.

Local Legislation No. 1.

Notice and Proof H. 1430:

STATE OF ALABAMA COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 7 and 9 of Act No. 2100, H. 1930, Regular Session 1971. (Acts 1971, p. 3369), which relates to the creation, jurisdiction, organization and functions of the Cleburne County Intermediate Court; to provide that the judge of said court receive a monthly expense allowance of \$275.00 in addition to his regular compensation; and to abolish the cost system in criminal cases and add in lieu thereof a standard fee of \$10.00.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 2100, H. 1930, Regular Session 1971, (Acts 1971, p. 3369), is hereby amended to read as follows:

"Section 7. The judge of the Cleburne County Intermediate Court shall receive a salary of \$400.00 a month, plus an expense allowance of \$275.00 per month, paid out of the general fund of the county, upon warrants drawn by the judge of probate of Cleburne County."

Section 2. Section 9 of Act No. 2100, H. 1930, Regular Session 1971, (Acts 1971, p. 3369), is hereby amended to read as follows:

"Section 9. The judge of the Cleburne County Intermediate Court shall tax in each criminal case in this court, as court costs, the total sum of \$10.00, and in each civil case the same fees as were allowed in justice of the peace courts in similar cases. All costs and fees, as well as all fines and forfeitures, and penalties assessed or imposed in this court shall be paid in lawful money. On the first day of each month the judge shall file with the probate judge his report giving a full statement of all such funds collected since his last report, and the style of the case in which the same were collected. The funds so reported shall be paid by the judge of this court to the treasurer or depository of the county who shall place such funds in the general fund of the county. The probate judge is hereby authorized, and it shall be his duty, to draw his warrant against said fund for the payment of the salary of the judge of the court, and for all necessary expenses incident to the operation of the court."

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. Upon its passage and approval by the Governor, this Act shall become effective as of January 15, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor

and publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Mr. Casey:

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Casey (With Notice and Proof):

H. 1432. Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property and equipment; prescribing penalties.

Local Legislation No. 1

Notice and Proof H. 1432:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property; and equipment; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the supervision, regulation, and control of the county commission, board of revenue, or other like governing body of Cleburne County, and any rules and regulations which such body may promulgate from time to time in exercising its authority under this Act, all purchases for the county shall be made by such county governing body or its duly authorized agent. And the probate judge, as Chairman of the county commission, shall function as purchasing agent without additional compensation. The provisions of this Act shall have application to all purchases made by or for Cleburne County, whether such purchases are made by the county governing body as such, or by its purchasing agent. The purchasing agent shall make all purchases of supplies, materials, equipment, and contractual services (which term as used in the Act shall not include purchase of insurance or contracts for professional or other personal services) for the county. In addition to all other powers and duties the purchasing agent shall have the following authority:

- (1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices, and departments;
- (2) To operate a central storeroom;
- (3) To require county officers, offices and departments to prepare estimates of requirements;
- (4) To transfer among the county officers, offices, and departments surplus supplies, equipment and materials, or to sell surplus or obsolete items as provided herein;
- (5) To promulgate reasonable rules and regulations governing the acquisition of supplies, materials and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 2. The county commission, board of revenue, or other like governing body, and its clerk, as may be designated by law, shall maintain the books and records of the county in accordance with the accounting and record system prescribed by the State Department of Examiners of Public Accounts. In addition, the commission, shall require a perpetual inventory to be maintained of all tools, tires, machinery, fuel, oil, grease, spare parts supplies and equipment belonging to or leased by Cleburne County. Such inventory shall be made by the purchasing agent or someone designated by him and the record of such perpetual inventory shall be kept on file in the office of the purchasing agent, and, shall be open to public inspection at all reasonable times. Such inventory record shall show where such property is located, and in whose possession or under whose control it is. In addition, the purchasing agent shall mark or label all such property owned by Cleburne County in letters of sufficient size so as to make the property clearly distinguishable as being property of Cleburne County.

Section 3. Supplies, materials, equipment and services shall be furnished to the county officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the article will be used except in conducting the public business. The requisitions, with the

purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

The provisions of this Act requiring purchases to be made through the county commission may be waived in the case of small purchases costing no more than fifty dollars (\$50.00), provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception.

All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased for him or it, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 4. The purchasing agent shall obtain at least three written, sealed, competitive bids on all purchases of supplies, materials, equipment, and contractual services when the amount involved is Five Hundred and No-100 (\$500.00) Dollars or more. If the proposed purchase or contract involves an amount less than Five Hundred and No-100 (\$500.00) Dollars, the purchase may be made either on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than Five Hundred and No-100 (\$500.00) Dollars for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county courthouse at least ten days prior to the meeting at which the purchase is to be made and advertised in a newspaper of general circulation in the county at the discretion of the purchasing agent. If the amount of the proposed purchase or the proposed contract is in excess of Five Hundred and No-100 (\$500.00) Dollars, written notice by registered mail, with return receipt requested shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type of work contemplated. A copy of such notice or notices, together with the return receipts showing their delivery, must be recorded in and shall become a part of the permanent records of the county purchasing agent.

All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the invitation to bid. The contract or order shall be awarded to the lowest responsible bidder, or all bids may be rejected and readvertised as provided above. The purchasing agent may obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids may be rejected and the purchase may be negotiated through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award, be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it relates to the obtain-

ing of written, sealed, competitive bids shall be followed, and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 5. In an emergency a purchase not to exceed one thousand five hundred dollars (\$1,500.00) may be made without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The record of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 6. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Cleburne County, provided there is no sacrifice or loss in price or quality.

Section 7. All contracts of whatever nature for the sale or disposal of tangible personal property owned by Cleburne County, shall be let by free and open competitive public auction or sealed bids. Every proposal to make a sale covered by this Act shall be advertised for at least two weeks in advance of the date fixed for receiving the bids. Such advertisement shall appear at least once a week for two consecutive weeks in a newspaper of general circulation in Cleburne Calhoun and a copy of such proposal shall simultaneously be posed on a readily accessible public bulletin board at the Cleburne County Courthouse. The advertisements shall further state the date, time and place of auction or opening of sealed bids and no bid shall be received at any time after the time advertised. The bids shall be publicly taken, or opened in the case of sealed bids, by the purchasing agent and all bidders shall be entitled to be present in person or by representative. The bid of the successful bidder so marked, as well as the bids of the unsuccessful bidders in the case of sealed bids shall be placed on file in the office of the purchasing agent and opened to public inspection. In the event that all bids received are less than the estimated market value of the property the purchasing agent may reject all bids and readvertise as provided above.

All proceeds from sales made under the provisions of this Act shall be paid into the County Treasury to be credited to the fund from which originally purchased.

Section 8. Whoever purchases or disposes of, or attempts to purchase or dispose of property for or on behalf of Cleburne County contrary to the provisions of this Act, or whoever violates any provision of this Act, is guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), and in addition may be imprisoned in the penitentiary for one year and one day.

Section 9. The county commission, board of revenue, or other like county governing body of Cleburne County shall provide the purchasing agent with the quarters, supplies, books, equipment, postage, and assistance necessary for the proper and efficient conduct of his duties. The purchasing agent may employ, County expense, not more than one employee for the administration of this act.

Section 10. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of five thousand dollars (\$5,000.00). The bond shall be payable to Cleburne County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, 29, April 5, and 12, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Mr. Casey:

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

Local Legislation No. 1.

By Messrs. Kinsey and Benton:

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

Local Legislation No. 1.

REGULAR SESSION
18th Day

1461

By Mr. Robertson:

H. 1435. To amend Title 51, Section 2 (f), Code of Alabama 1940, as amended, which relates to exemptions to the state ad valorem tax, so as to provide an exemption for surviving spouses of blind persons.

Ways and Means.

By Mr. Robertson:

H. 1436. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having a population of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Mr. Casey (With Notice and Proof):

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Local Legislation No. 1.

Notice and Proof H. 1437:

STATE OF ALABAMA
COUNTY OF RANDOLPH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Randolph County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or nonresidents of the county, or have otherwise become disqualified from voting in Randolph County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January, 1974. No person whose name is removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote.

Section 3. Prior to the first day of January, 1974, the board of registrars of Randolph County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary, to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein. No voter shall appear and reidentify himself at any place except in the beat in which he resides or in the courthouse of the county.

Section 4. Each member of the board of registrars shall receive ten dollars per day, for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars in the beat in which he resides, or by appearing before the judge of probate, or either of the clerks in the office of the judge of probate, or before the board of registrars in regular session, and answering such questions and submitting such proof under oath, as the board may require in order to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county.

Section 6. The board of registrars shall meet on the first Monday in January 1974, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves in the manner herein prescribed shall be stricken from the lists, provided, however, that said board shall not strike the name of any person, or of the spouse of any person, known by any member of said board, or made known to the said board by the written affidavit of another qualified elector, to be in active

REGULAR SESSION
18th Day

1463

duty of any of the armed forces of the United States of America, and to be stationed, or to be living with her or his spouse, as the case may be, outside Randolph County, Alabama, during the period of time from the effective date hereof to January 1, 1974.

Section 7. Any qualified elector of the county who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided shall be entitled to have his name restored to the list of qualified electors by appearing in person at the office of the board of registrars, or at the office of the judge of probate, and answering such questions and submitting such proof, under oath, as the board may require to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, every qualified elector must have reidentified himself at least 10 days prior to the election at which he offers to vote; provided further, however, that this Act shall not be construed or applied to impair or deny the right to vote in person or by absentee ballot of any person or of the spouse of any person, now a qualified elector of said county, who is in active duty of any of the armed forces of the United States of America and stationed, and, as to the spouse, who is living with her or his husband or wife as the case may be, outside of Randolph County, Alabama, during the period of time from the effective date hereof to January 1, 1974.

Section 8. The court of county commissioners of Randolph County is hereby authorized, directed, and required to furnish the board of registrars with the supplies, equipment, printed forms, stationery and newspaper advertisements necessary for the reidentification of voters as herein provided.

Section 9. The questionnaire to reidentify a voter shall be in substantially the following form:

VOTERS REIDENTIFICATION QUESTIONNAIRE

Randolph County, Alabama

Date 197

Name
First Middle Last

Legal Residence Address

Street

City or Town

State

Date of Birth Sex

I now vote and I am a qualified elector in precinct or Beat
No. , Box No. County, and I have not
been disqualified from voting in this county. I am not a qualified voter in any
other county in the State of Alabama or in any other State in the United
States.

I have resided in Precinct or Beat No. for the past
..... months.

Signed

Signature of Voter

Sworn to and subscribed before me this day of

19

Register..... Judge of Probate

Section 10. Any person who willfully makes a false statement to the board of registrars, or any duly authorized person, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. S. Schuessler, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, 9, 16, and 23, all in the year 1973.

J. S. SCHUESSLER.

Sworn to and subscribed before me May 24th, 1973.

WILLIAM ELBERT MONTGOMERY, JR.,
Notary Public.

By Mr. Casey (With Notice and Proof):

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Local Legislation No. 1.

Notice and Proof H. 1438:

STATE OF ALABAMA
COUNTY OF RANDOLPH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting deer, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting deer at night in Randolph County shall be contraband and shall be forfeited to the State of Alabama. Such property may be seized by the Sheriff of the county or by any other officer or person acting under authority of law in the enforcement of laws of this state, and the Sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same or any interest therein if the name is known or can be ascertained, the date of the seizure, and a statement of the circumstances connected with the apprehension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in Section 1 of this Act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in night hunting or that the hunter be apprehended in the actual act of killing deer but it shall suffice to prove possession upon the person or in any motor vehicle of such person of guns, ammunition, and other equipment normally used in hunting deer and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting of deer.

Section 3. Except as otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of automobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pend-

ing the proceedings, shall be paid into the state treasury to the credit of the Game and Fish Fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. S. Schuessler, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, 9, 16, and 23, all in the year 1973.

J. S. SCHUESSLER.

Sworn to and subscribed before me May 24th, 1973.

WILLIAM ELBERT MONTGOMERY, JR.,
Notary Public.

By Mr. Casey (With Notice and Proof):

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Local Legislation No. 1.

Notice and Proof H. 1439:

STATE OF ALABAMA COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting deer, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting deer at night in Cleburne County shall be contraband and shall be forfeited to the State of Alabama. Such property may be seized by the Sheriff of the county or by any other officer or person acting under authority of law in the enforcement of laws of this state, and the Sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same or any interest therein if the name is known or can be ascertained, the date of the seizure, and a statement of the circumstances connected with the apprehension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in Section 1 of this Act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in night hunting or that the hunter be apprehended in the actual act of killing deer but it shall suffice to prove possession upon the person or in any motor vehicle of such person of guns, ammunition, and other equipment normally used in hunting deer and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting of deer.

Section 3. Except as otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of automobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the Game and Fish Fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry W. Bell, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 6, 13, 20 and 27, all in the year 1972.

HENRY W. BELL.

Sworn to and subscribed before me January 15, 1973.

RUTH G. MORGAN,
Notary Public.

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 1440. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

Local Legislation No. 4.

The above bill was read a first time at length as required by the Constitution.

By Mr. Timmons:

H. 1441. To amend Section 201 of Act No. 407, H. 198, Regular Session 1971 (Acts 1971, p. 707), relating to eligible surplus line insurers, so as to allow a broker to insure with a wholly-owned subsidiary of an already eligible surplus line insurer.

State Administration.

By Messrs. Timmons and Adwell:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$4.50 per person residing in each municipality.

Local Legislation No. 2.

By Messrs. Stewart, Merrill and Burgess:

H. 1443. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; prohibiting the taxation and collection of certain fees and costs in misdemeanor cases for violations of the game and fish laws in the county courts of such counties.

Ways and Means.

By Mr. May:

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Mr. Barkett (With Notice and Proof):

H. 1445. To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

Local Legislation No. 1.

Notice and Proof H. 1445:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama is hereby amended to read as follows:

"Section 8. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law and for witnesses in the Circuit Courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the Circuit Courts.

"(b) In addition to the fees for witnesses, the court shall have authority to tax costs, except trial tax as provided for in Title 51, Section 20, Code of Alabama 1940 (Recomp. 1958) as amended, for the uses of the court and officers thereof as follows: (1) in every civil action at law, the same as in the Circuit Court; (2) in each equity case, the same as in the Circuit Court; (3) in every criminal case, the same as in the county courts; (4) for issuance of peace warrants in addition to other costs and commissions provided by law the sum of twenty-five dollars (\$25) to be paid into the general fund of the county; (5) the court shall tax other costs and commissions as prescribed by law (both general and local acts).

"(c) A trial tax of two dollars (\$2.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100). In every other civil action at law, in every suit in equity, and in every criminal case, a trial tax of five dollars (\$5.00) shall be collected for the use of the county.

"(d) No costs shall be taxed in juvenile cases.

"(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Dale County, Alabama, one-half (50 percent) of all other fines and forfeitures collected in this court are to be paid into the general fund of Dale County, Alabama.

"(f) (1) The Clerk or Register of the Inferior Court shall require the parties instituting any civil action, suit or proceeding in such court, whether it be original process or otherwise, to pay a filing fee of fifteen dollars

(\$15.00), except that on application for a writ of habeas corpus the filing fee shall be five dollars (\$5), this fee shall be refunded to the party instituting the action, suit or proceeding, upon the payment of the court cost incurred in the proceeding.

“(2) The court by rule or standing order may require advanced payment of cost and fees.

“(g) (1) The court may authorize the commencement, prosecution, or defense of any suit action or proceeding, civil or criminal without prepayment of fees and cost or security therefor, by a person who makes affidavit that he is unable to pay such cost or give security therefor. Such affidavit shall state the nature of the action or defense, and affiant's belief that he is entitled to redress.

“(2) The court may dismiss the case if the allegations of poverty are untrue, or if satisfied that the action is frivolous or malicious.

“(3) Judgment may be rendered for cost at the conclusion of the suit or action, as in other cases.”

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, 27, July 4, and 11, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me July 12, 1973.

IRENE MATHIS,
Notary Public.

By Mr. Barkett:

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Mr. Barkett:

H. 1447. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$3,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of The Army.

Local Government.

The above bill was read a first time at length as required by the Constitution.

By Mr. Boles:

H. 1448. To authorize incorporated cities and towns to transfer and convey with, or without consideration, to a medical clinic board incorporated pursuant to Act No. 516 adopted at the 1955 Regular Session of the Legislature of Alabama, approved September 9, 1955 (Acts of 1955, p. 1160, et seq.) as amended, with the approval of its governing body, any property, including medical clinics or clinical facilities, hospitals and hospital facilities and assets, and any land used or useable for medical clinic or hospital purposes, including any hospitals or hospital property or assets received by such municipality upon the dissolution of a hospital building authority incorporated pursuant to the provisions of Act No. 109, General Laws of Alabama, approved August 1, 1961.

Health.

By Mr. Collins:

H. 1449. Relating to Mobile County; providing for landowners with no access road to acquire a right of way of forty feet.

Local Legislation No. 3.

By Messrs. Gray (F) and Reed (T) (With Notice and Proof):

H. 1450. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Local Legislation No. 1.

Notice and Proof H. 1450:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law or regulation of the Alcoholic Beverage Control Board notwithstanding, it shall be legal to manufacture spirituous, vinous, fermented or otherwise alcoholic beverages and beer, lager beer, ale, porter or similar fermented malt liquor in Macon County and to transport, sell and deliver such vinous beverages and malt or brewed beverages to the Alcoholic Beverage Control Board or to wholesalers, distributors or jobbers outside the state.

Section 2. Nothing herein shall be construed to authorize the sale of such vinous liquor or malt or brewed beverages without payment of any lawful taxes due.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

NEIL O. DAVIS,
Publisher.

Sworn to and subscribed before me June 15, 1973.

ALICE M. WHITE,
Notary Public.

By Messrs. Gray (F) and Reed (T) (With Notice and Proof):

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Local Legislation No. 1.

Notice and Proof H. 1451:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

REGULAR SESSION
18th Day

1473

To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), is hereby amended to read as follows:

"Section 1. The jailer appointed by the sheriff of Macon County shall receive a salary not to exceed \$400 per month. Such salary shall be fixed by the court of county commissioners or other like governing body of the county and shall be payable in equal installments out of the general funds of the county."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24th, 31st, June 7th, and June 14th, all in the year 1973.

NEIL O. DAVIS,
Publisher.

Sworn to and subscribed before me June 15, 1973.

ALICE M. WHITE,
Notary Public.

By Mr. Gray (F) (With Notice and Proof):

H. 1452. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuskegee, Macon County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1452:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuskegee, Macon County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Tuskegee in Macon County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described territory:

Area No. 1.

Beginning at the Southwest corner of Section 23, T-17-N, R-23-E in Macon County, Alabama, said point being an angle point in the existing boundary of the Corporate Limits of The City of Tuskegee, Alabama; thence North along the West line of said Section 23, and the West line of Section 14, T-17-N, R-23-E, 10,560 feet, more or less, to the Northwest corner of said Section 14; thence West along the South line of Section 10, T-17-N, R-23-E, 2,640 feet, more or less, to the Southwest corner of the East $\frac{1}{2}$ of said Section 10; thence North along the West line of the East $\frac{1}{2}$ of said Section 10, 5,280 feet, more or less, to the South line of Section 3, T-17-N, R-23-E; thence West along the South lines of Sections 3, 4, 5, and 6, T-17-N, R-23-E, 15,840 feet, more or less, to the Southwest corner of the East $\frac{1}{2}$ of said Section 6; thence North along the West line of the East $\frac{1}{2}$ of said Section 6 and the West line of the East $\frac{1}{2}$ of Section 31, T-18-N, R-23-E, 10,560 feet, more or less, to the Northwest corner of the East $\frac{1}{2}$ of said Section 31; thence East along the North lines of Sections 31, 32, and 33, 13,200 feet, more or less, to the Northeast corner of said Section 33; thence South along the East line of said Section 33, 2,975 feet, more or less to a point that is 600 feet, Northeasterly of, measured at right angles from, the Northeasterly right-of-way line of Alabama Highway No. 199; then Southeasterly along a line that is parallel to and 600 feet, measured at right angles from, the said Northeasterly right-of-way line of said Alabama Highway No. 199, 3,910 feet, more or less, to the center of Uphapee Creek; thence meandering up the center of said Uphapee Creek in a generally Southeasterly direction 38,500 feet to the East line of Section 17, T-17-N, R-24-E; thence South along the East line of said Section 17, and Section 20, T-17-N, R-24-E, 1,240 feet, more or less, to the centerline of the Old Auburn Wire Road; thence Southwesterly along the centerline of said road 1,015 feet, more or less, to a point in the existing boundary of the Corporate Limits of the City of Tuskegee, Alabama; thence leaving said last mentioned road, North 18 degrees 30 minutes West 237 feet; thence South 69 degrees 30 minutes West 1,561 feet; thence South 89 degrees 30 minutes West 1,300 feet to the Centerline of Macon County Road No. 25; thence meander along the Centerline of Macon County Road No. 25 in a Northwesterly direction 8,243 feet to the intersection of the Centerline of Alabama Highway No. 81; thence North 4 degrees 00 minutes East along the Centerline of Alabama Highway No. 81, 830 feet to its intersection with the Centerline of Alabama Highway No. 199; thence North 56 degrees 00 minutes West along the Centerline of Alabama Highway No. 199, 500 feet; thence leaving said Highway, South 6 degrees 50 minutes West

7,125 feet; thence South 1,450 feet; thence West 6,270 feet, more or less; thence South 1,925 feet, more or less; thence West 4,890 feet, more or less, to the point of beginning.

Area No. 2

Beginning at the Southeast corner of Section 3, T-16-N, R-23-E in Macon County, Alabama, and said point being the Southwest corner of the existing Corporate Limits of the City of Tuskegee, Alabama; thence North, along the East line of said Section 3, said line also being the existing West Corporate Limits line, 2,750 feet to a point that is 600 feet Southeasterly of and at right angles to the Southerly right-of-way line of U. S. Highway No. 80, said point being the true point of beginning of the tract of land herein described; thence Southwesterly along a line that is parallel to and 600 feet at right angles from the said Southerly right-of-way line of said U. S. Highway No. 80, 12,740 feet, more or less, to the West line of Section 9, T-16-N, R-23-E; thence North along said Section line, 1,335 feet, more or less, to a point that is 600 feet Northwesterly of and at right angles to the Northerly right-of-way line of said U. S. Highway No. 80; thence Northeasterly along a line that is parallel to and 600 feet at right angles to the said Northerly right-of-way line of said U. S. Highway No. 80, 12,460 feet, more or less, to the said East line of Section 3, T-16-N, R-23-E and the said existing West Corporate Limits line; thence South, along said last mentioned line, 1,255 feet, more or less, to the true point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

NEIL O. DAVIS,
Publisher.

Sworn to and subscribed before me June 15th, 1973.

ALICE M. WHITE,
Notary Public.

By Messrs. Gray (F) and Reed (T) (With Notice and Proof):

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Local Legislation No. 1.

Notice and Proof H. 1453:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10 of Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225), an act which created and established the board of revenue of Macon County, is further amended to read as follows:

"Section 10. The members of the Macon County Commission, including the Chairman, shall each be entitled to receive a monthly salary of Five Hundred Dollars (\$500) for the performance of their duties, to be paid out of the county treasury on the certificate or warrant of the Chairman. In addition, each member shall be entitled to ten cents (10¢) per mile for each mile traveled on official business, but the total mileage allowance claimed by or paid to any member for any calendar month shall not exceed Two Hundred Dollars (\$200); except that when authorized by the Commission, the members shall in addition be entitled to a mileage allowance of ten cents (10¢) per mile for attending any state or national convention of the Association of County Commissioners of Alabama, or the National Association of Counties, or their successor organizations."

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

NEIL O. DAVIS,
Publisher.

REGULAR SESSION
18th Day

1477

Sworn to and subscribed before me 15th day of June, 1973.

ALICE M. WHITE,
Notary Public.

By Mr. McDonald:

H. 1454. To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

Local Legislation No. 1.

By Messrs. Crowe and Drake:

H. 1455. To amend Code of Alabama 1940, Title 51, Section 386 which provides for depreciation allowances for income tax purposes, so as to provide further for the depreciation allowance on coal mines.

Ways and Means.

By Messrs. Weeks, Boutwell, Ellis, Meeks, Hughes, Dill, Adwell, McMillan, Waggoner, McBride, McNair and Falkenburg:

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. St. John and Stokes:

H. 1457. This is a bill increasing the salary of supernumerary court reporters as last amended by Act No. 753, S. 478, Acts of Alabama, 1967 (Vol. II, p. 1607) and to provide that when called to active court service that they be paid the same salary and in like manner as official court reporters by further amending Section 3, Act No. 817, H. 298, Regular Session 1961 providing supernumerary circuit court reporters for the State of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries.

Ways and Means.

By Messrs. St. John and Stokes:

H. 1458. This bill will allow Circuit Judges on a state-wide basis to appoint a temporary special court reporter when in his opinion such appointment is justified thereby allowing the official reporter time out of Court to keep his appeal case work current and not, as now, limited to sickness or other cause when the official court reporter cannot fulfill his or her function in court.

Ways and Means.

By Messrs. Stokes and Callahan:

H. 1459. To amend Section 32 of Act 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), relating to the disposition of revenues from

sales taxes, so as to provide further for the use of such revenues in all counties having populations of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census; and to provide for the distribution of an additional sum sufficient for the Department of Pensions and Security to administer the food stamp program in such counties, pursuant to the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments enacted thereto.

Ways and Means.

By Mr. Bank (With Notice and Proof):

H. 1460. To amend further Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as heretofore amended, an act levying additional privilege and license taxes in Tuscaloosa County; so as to define additional terms and redefine other terms relating to hospital boards and free care services and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Local Legislation No. 1.

Notice and Proof H. 1460:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 56, H. 285 Regular Session 1953 (Acts 1953, p. 76), as heretofore amended, an act levying additional privilege and license taxes in Tuscaloosa County; so as to define additional terms and redefine other terms relating to hospital boards and free care services and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 11 of Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as heretofore amended, are hereby further amended to read as follows:

"Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the following respective meanings:

"The words 'the state' mean the State of Alabama.

"The words 'the county' mean Tuscaloosa County in the state.

"The words 'the city' mean the City of Tuscaloosa in the state.

"The words 'the county board of education' mean the board of education of Tuscaloosa County, Alabama.

"The words 'the city board of education' mean the board of education of the City of Tuscaloosa, Alabama.

"The words 'the hospital board' mean the Druid City Hospital Board created by Act No. 540 adopted at the 1947 Regular Session of the Legislature of Alabama, approved October 8, 1947, or the board of any other non-profit hospital in Tuscaloosa County heretofore or hereafter licensed by the

State of Alabama as a general hospital and offering general medical, surgical and emergency services to the people of said county and free care to charity or medically indigent patients.

"The words 'free care' mean hospital services without pay, not only to those patients who are on existing welfare rolls of the county, but also include free services to those patients who become medically indigent when faced with the additional costs of hospital and doctor bills, or who are shown to be unable to pay such bills after every reasonable and diligent effort has been made by the hospital board to collect the same when hospital records evidence such efforts and inability to pay. Such words shall not include services to any patient who occupies a private room so long as any semi-private room is available.

"The words 'the tax board' mean the Tuscaloosa County Special Tax Board created in Section 9 of this act.

"The words 'state sales tax statutes' mean the provisions of Act No. 100, adopted at the Special Session of the Legislature of Alabama which convened on June 24, 1959, as amended and supplemented before March 2, 1967.

"The words 'state use tax statutes' mean the provisions of Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented before March 2, 1967.

"The words 'quarterly period' mean each period of three calendar months commencing on each January 1, April 1, July 1, and October 1.

"Pronouns include all genders.

"Those of the words and phrases used in Section 3 of this act that are defined in the state sales tax statutes shall have the meanings respectively given them in the state sales tax statutes. Those of the words and phrases used in Section 4 of this act that are defined in the state use tax statutes shall have the meanings respectively given them in the state use tax statutes."

"Section 11. Disposition of Revenues. A. Any and all expenses, including (but without limitation to) salaries, office rent, and other expenses that may be necessary to provide for the collection and distribution of the taxes herein levied as may be authorized or approved by the tax board, shall be deducted by the tax board and paid out of the proceeds from said collections before any distribution of said proceeds. After deduction of said expenses, the tax board shall distribute the remaining proceeds from the said taxes as follows:

"(a) Thirty-two and one-half per cent (32½ per cent) of said proceeds remaining shall be paid to the City of Tuscaloosa for general municipal purposes;

"(b) Five per cent (5 per cent) of said proceeds remaining shall be paid to the City of Northport for general municipal purposes;

"(c) Twelve and one-half per cent (12½ per cent) of said proceeds remaining shall be paid to Tuscaloosa County for general county purposes;

"(d) Ten per cent (10 per cent) of said proceeds remaining shall be paid to the hospital board, which shall use the said proceeds solely to defray all or a part of the costs of any hospital operated by the hospital board for

free care services furnished to charity or medically indigent patients who are residents of the county, including any municipality therein;

“(e) Twenty per cent (20 per cent) of said proceeds remaining shall be paid to the county board of education, which shall use said proceeds solely for public school purposes in the county, including (but without limitation to) payment of any warrants, notes and other obligations of the county board of education which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such buildings and acquiring sites therefor;

“(f) Twenty per cent (20 per cent) of said proceeds remaining shall be paid to the city, which shall use said proceeds solely for public school purposes in the city, including (but without limitation to) payment of any bonds, warrants, notes and other obligations of the city which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such building and acquiring sites therefor.

“B. The proceeds for which distribution is provided is subsections (a), (b), (c), (d), (e), and (f) of this section shall be paid over to the beneficiaries thereof, respectively, on or before the tenth day of the calendar month next succeeding the calendar month in which said proceeds shall have been received by the tax board. The tax board is hereby authorized to retain on hand at all times as a revolving or contingent fund for payment of its expenses, as provided for in Section 9 (c) of this act, such amount of said tax proceeds as it deems expedient; provided, that as disbursements are made from said revolving or contingent fund the tax board shall have the power, immediately or at such times as it deems convenient, to restore the moneys so disbursed out of the proceeds from the taxes herein levied; and provided, further that the said revolving or contingent fund shall not at any time exceed ten per cent (10 per cent) of the collections made under this act during the then preceding calendar month.

“C. It is specifically provided, however, that in distributing the proceeds of the tax for the purposes provided in paragraph (d) of subsection A of this section, such proceeds shall be prorated to each hospital in direct proportion to the amount of free care services, as defined in Section 1 of this act, rendered by each hospital in the county.

“D. All hospitals to which this act applies shall be required to utilize a uniform bookkeeping and accounting system and the Tuscaloosa County Special Tax Board shall be authorized to recommend the type of system to be used. At the end of each audit period, each hospital shall submit a copy of its annual audit for the next previous fiscal year, prepared by certified public accountant, to the Tuscaloosa County Special Tax Board. Upon the receipt of such audits, said board's certified public accountant shall first determine that the figures in each audit have been computed in like manner and determine the amount of the proceeds of the tax due the respective hospitals which

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amount shall be prorated on the same ratio as the total cost of the free care services provided by each individual hospital bears to the total cost of the free care services provided by all such hospitals in the county.

"It is further provided that a newly licensed hospital providing certain amounts of free care to patients shall submit a statement of their best estimate of the cost of such services at the end of each month of operation and such amount, if determined to be reasonable by the Tuscaloosa County Special Tax Board, shall be paid from the collections of the tax for the next preceding period. At the end of the first six months of operation, a certified public accountant shall audit such hospitals' books and determine through sound accounting review procedures a more accurate determination of the amount of free care services so rendered. The report of such audit shall be submitted to the Tuscaloosa County Tax Board and its auditors for review; and payments for the second six months' period shall be based upon a reasonable, fair and equitable determination of the prorated amount due such hospital based on the figures thus presented. At the end of the first full fiscal year, and following submission of the years' audit by certified public accountant, the Tuscaloosa County Special Tax Board shall then through consultation and advice of its own certified public accountant, determine what percentage each hospital has rendered of the total free care within the county and that percentage shall be the basis for proration of the tax revenues for the next succeeding twelve-month period. Thereafter the disposition of funds to all hospitals coming under the provisions of this act shall be allocated in the same manner as provided herein."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, May 23, 30 and June 6, 13, 1973.

CLAUCIE FOWLER,
Legal Clerk.

Subscribed and sworn to before me on this the 13th day of June, 1973.

LILLA COLLINS,
Notary Public.

By Messrs. Taylor, Jones (F), Harris, Barron and Hobbie:

H. 1461. To amend Section 6, Section 9, Section 15, Section 18 and Section 24 of Act Number 1606, H. 1891 approved September 17, 1971, Regular Session 1971 (Acts 1971, p. 2761) to create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected

from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

Local Legislation No. 4.

By Mr. Jones (F) :

H. 1462. To provide that all Alabama Alcoholic Beverage Control Board licensees in counties having populations of not less than 150,000 nor more than 180,000 may stay open until 2:00 A.M. each night of the week.

Local Legislation No. 4.

By Mr. Jones (F) :

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

Local Legislation No. 4.

By Mr. Cauthen:

H. 1464. To amend further Section 3 of Act No. 443, Regular Session 1953, (Acts 1953 p. 549) as amended, which Act provided for law clerks to be appointed by the Chief Justice and Associate Justices of the Supreme Court, by establishing a schedule of compensation for such law clerks based on prescribed qualifications.

Ways and Means.

By Mr. Cauthen:

H. 1465. To amend Sections 1, 2 and 4, Act No. 1593, S. 28, Regular Session 1971, relating to the duties, functions and personnel of the Department of Court Management and to provide or assist in providing continuing legal and judicial education to judges and court-affiliated personnel; and to add thereto additional sections pertaining to coordination of the administration of justice with other units of the judicial system or other units of government.

Judiciary.

By Messrs. Cauthen, Carter and Williams:

H. 1466. To amend Section 8 of Act No. 576, H.B. 256, Regular Session 1959, (Acts 1959, p. 1442), as amended, which section relates to the ap-

plication for and issuance of certificate of registration and number for any boat owner, so as to further regulate said application for and issuance of certificate of registration and number for any boat owner.

Conservation.

By Messrs. Cauthen, Cross, Carter and Flippo:

H. 1467. To further amend Section 6 of Act No. 576, H. 256, Regular Session 1959 (Acts 1959, p. 1444), as amended, which section relates to the issuance of boat registration certificates, so as to further regulate the issuance of said boat registration certificates.

Conservation.

By Mr. Stubbs (With Notice and Proof):

H. 1468. To amend Section 1 of Act No. 106, H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

Local Legislation No. 1.

Notice and Proof H. 1468:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 106, H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

Be It Enacted by the Legislature of Alabama:

Section 1, of Act No. 106, H. 173, 1967 Special Session (Acts of 1967, Vol. 1, Page 138) entitled, An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit; is hereby amended to read as follows:

"Section 1. The District Attorney of the Eighteenth Judicial Circuit, if a bona fide resident Citizen of Shelby County, Alabama, and maintains an office in the Shelby County courthouse at Columbiana, Alabama, may appoint a stenographic secretary, who shall serve at his pleasure. Such stenographic secretary shall perform such duties as the District Attorney of said circuit may prescribe, and shall receive a salary at the discretion of the Shelby County Commission or other governing body of said county not less than

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\$6,000.00 per annum, to be paid in equal monthly installments out of the Shelby County Treasury in the manner prescribed by law."

Section 2. All other laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. Frank Clayton, Publisher, of the Alexander City Outlook published bi-weekly at Goodwater, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 9, 1973, and ending with the issue dated May 30, 1973.

J.F. CLAYTON.

Subscribed and sworn before me this 31st. day of May, 1973.

VONCILLE M. DEAN,
Notary Public.

My Commission expires January 23, 1975.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and May 31, all in the year 1973.

MARCIA M. SEARS.

Sworn to and subscribed before me June 1, 1973.

CONRAD M. FOWLER,
Judge of Probate.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
CLAY COUNTY

Before me Blanche Alexander, a Notary Public, in and for said County, personally appeared Mrs. R.M. Ussery, who duly sworn, deposes and says that she is the publisher of the Ashland Progress, a newspaper published weekly in Ashland, Clay County, Alabama, and that the Legal Notice-A Bill To Be Entitled An Act, a copy of which is attached hereto, was published in

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said newspaper for 4 regular weekly issues, commencing in the issue of May 10, 1973, and ending in the issue of June 7, 1973.

MRS. R.M. USSERY,
Publisher.

Sworn to and subscribed before me this 13th day of June, 1973.

BLANCHE ALEXANDER,
Notary Public.

By Mr. Stubbs (With Notice and Proof):

H. 1469. To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteenth Judicial Circuit of Alabama, the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

Local Legislation No. 1.

Notice and Proof H. 1469:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteenth Judicial Circuit of Alabama, the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, An Act to establish in the Eighteenth Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the Eighteenth Judicial Circuit, Place Number Two; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama; is hereby amended to read as follows:

"Section 4. The said Clerk-Secretary to the Circuit Judge of the Eighteenth Judicial Circuit, Place Number Two, shall receive a salary at the discre-

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tion of the Shelby County Commission or other governing body of said county not less than \$4,800.00 per annum, to be paid in equal monthly installments out of the Shelby County Treasury in the manner prescribed by law."

Section 2. All other laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
CLAY COUNTY

Before me Blanche Alexander, a Notary Public, in and for said County, personally appeared Mrs. R. M. Ussery, who duly sworn, deposes and says that she is the publisher of The Ashland Progress, a newspaper published weekly in Ashland, Clay County, Alabama, and that the Legal Notice—A Bill To Be Entitled An Act, a copy of which is attached hereto, was published in said newspaper for 4 regular weekly issues, commencing in the issue of May 10, 1973, and ending in the issue of June 7, 1973.

MRS. R. M. USSERY,
Publisher.

Sworn to and subscribed before me this 8th day of June, 1973.

BLANCHE ALEXANDER,
Notary Public.

AFFIDAVIT OF PUBLICATION

I, J. Frank Clayton, Publisher, of the Alexander City Outlook, published bi-weekly at Goodwater, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 9, 1973, and ending with the issue dated May 30, 1973.

J. F. CLAYTON.

Subscribed and sworn before me this 31st day of May, 1973.

VONCILLE M. DEAN,
Notary Public.

My Commission expires January 23, 1975.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation pub-

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lished in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

MARCIA M. SEARS.

Sworn to and subscribed before me 1st day of June, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs:

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for expense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

Local Legislation No. 1.

By Mr. Stubbs:

H. 1471. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Judge of the Circuit Court; providing a limitation on amounts so paid; and providing further for such payments.

Local Legislation No. 1.

By Mr. Stubbs:

H. 1472. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing that any Circuit Judge, who maintains his principal office at the courthouse, therein may appoint one additional Bailiff to serve the circuit court; to prescribe the pay for the service of said Bailiff and the manner thereof.

Local Legislation No. 1.

By Mr. Stubbs (With Notice and Proof):

H. 1473. To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

Local Legislation No. 1.

Notice and Proof H. 1473:

LEGAL NOTICE

Notice is hereby given that a bill, substantially as follows, will be introduced in the Legislature of the State of Alabama and application made for its passage.

A BILL
TO BE ENTITLED
AN ACT

To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. No special venire shall be ordered or drawn for the trial or trials of a defendant or defendants in capital felonies in the Circuit Court of the Eighteenth Judicial Circuit of Alabama, but a defendant or defendants in capital felony cases shall be entitled to strike from a list of not less than forty-eight competent jurors obtained from the regular juries in the Court. One hundred names shall be drawn from the jury box for service during any week in which a capital case is set for trial.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA CLAY COUNTY

Before me, Arthur L. Hardegree, a Notary Public, in and for said County, personally appeared Mrs. R. M. Ussery, who duly sworn, deposes and says that she is the publisher of The Ashland Progress, a newspaper published weekly in Ashland, Clay County, Alabama, and that the Legal Notice A Bill To Be Entitled An Act, a copy of which is attached hereto, was published in said newspaper for 4 consecutive weeks, commencing in the issue of March 23, 1972, and ending in the issue of April 13, 1972.

MRS. R. M. USSERY,
Publisher.

Sworn to and subscribed before me, this 26th day of April, 1972.

ARTHUR L. HARDEGREE,
Notary Public.

My Commission expires Jan. 24, 1975.

STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: March 23, 30 and April 6, 13, 1972.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 14th day of April, 1972.

CONRAD M. FOWLER,
Judge of Probate.

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AFFIDAVIT OF PUBLICATION

I, J. Frank Clayton, Publisher, of the Alexander City Outlook published weekly at Goodwater Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated March 23, 1972, and ending with the issue dated April 13, 1972.

J. FRANK CLAYTON.

Subscribed and sworn before me this 14th day of April, 1972.

VONCILLE M. DEAN,
Notary Public.

My Commission expires January 23, 1975.

By Mr. Stubbs (With Notice and Proof) :

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

Local Legislation No. 1.

Notice and Proof H. 1474:

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance as distinguished from details of the following:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Helena, in the County of Shelby, State of Alabama are hereby altered and extended so that said boundaries shall include within the corporate limits of said Town all of the following described additional property not presently located in said Town, to-wit:

All of section 3 east and southeast of the Cahaba River; all of section 4 southeast of the Cahaba River, all of section 10 not in the present Town limits; that portion of section 11 within the following described boundaries: beginning at the southeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 11 and running north to a point of 249.34 feet north from the SE corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence turn an angle of 64 degrees 51' to the left and run a distance of 867.62 feet to a point; thence turn an angle of 90 degrees))'

to the right and run a distance of 1847.59 feet to a point; thence turn an angle of 25 degrees and 09' to the left and run a distance of 371.00 feet to the northwest corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said section 11; thence turn an angle of 62 degrees 51' 45" to the right and run a distance of 533.17 feet to a point on the West right of way of Shelby County Highway 105; thence run in a Northwesterly direction along said right of way line to a point on the west right of way line of Alabama State Highway 261 at the point of intersection of Shelby County Highway 105 and Alabama State Highway 261 in section 2; thence turn right and run in a northeasterly direction along the west right of way line of Alabama State Highway 261 to a point where Alabama State Highway 261 and Aaron Road intersect; thence turn left and run west along the $\frac{1}{2}$ section line of the north $\frac{1}{2}$ of the N $\frac{1}{2}$ of section 2 to the west section line of said section 2, all of sections 9, 17, and that portion of 16 not within the present Town limits; all of section 20 except the following described partial of land.

NW $\frac{1}{4}$ of NW $\frac{1}{4}$ beg SW cor Nly 942.31 ft; 139 deg 40' right SEly 43.34 ft; 20 deg 41' right SEly 101.21 ft; 13 deg 10' left SEly 137.51 ft; 19 deg 1' left SEly 130.91 ft; 16 deg 30' right SEly 40.18 ft; 30 deg right SEly 222.51 ft; 23 deg 38' right SWly 117.91 ft; 29 deg right SWly 225.45 ft; 10 deg left SWly 110.15 ft; 30 deg 40' left SWly 11.09 ft; 84 deg 24' right Wly 13 ft to beg 20 3W

Part of W $\frac{1}{2}$ of NW $\frac{1}{4}$ beg at NW cor of said Sec; S along W line 284 ft to CL Cahaba River and pt of beg; cont 1524.65 ft to CL Helena-Bessemer paved rd; 140 deg 12' left along a straight line being CL 236.52 ft to pt of beg of arc of a curve turning right & having a tangent of 182.98 ft said straight line being tangent to said arc, said arc being subtended by a central angle of 28 deg 22' NEly along CL along said arc 358.50 ft to pt of beg of a straight line being tangent to said arc; along said straight line 107.03 ft to pt of beg of arc of curve to right having tangent of 149.03 ft; said straight line being tangent to said arc, said arc being subtended by a central angle of 7 deg 25'; thence along said CL, along said arc 297.64 ft to pt of beg of a straight line being tangent to said arc; along straight line 278.45 ft to pt of beg of arc of a curve turning left & having tangent of 77.23 ft, said straight line being tangent to said arc, said arc being subtended by a central angle of 2 deg 04' along said CL, along said arc 154.44 ft to a pt in CL of said rd; 89 deg 48' left from long chord of last mentioned curve 1062.19 ft to a pt on N line of said Sec, said pt being 350 ft W of NE cor of NW $\frac{1}{4}$ of said Sec; 74 deg 00' left along sec line Wly 764 ft; S & W to beg.

All of section 21 not within the present Town limits; all of section 29 and that portion of section 28 not in the present Town limits; all of the north $\frac{1}{2}$ of section 33 west of Shelby County Highway No. 17, plus that portion of the north east $\frac{1}{4}$ of the north east $\frac{1}{4}$ of said section 33 lying east of Shelby County Highway No. 17; the north $\frac{1}{2}$ of the north west $\frac{1}{4}$ of section 34; all of section 27 not within the present Town limits except the east $\frac{1}{2}$ of the south east $\frac{1}{4}$ of said section 27, and the north west $\frac{1}{4}$ of the north west of section 26.

All of the parcels described herein are located in Township 20 south, Range 3 west.

Section 2. The provisions of this act shall become effective immediately upon the signature of the Governor or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

MARCIA M. SEARS.

Sworn to and subscribed before me June 1, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 1475. Relating to Shelby County; providing further for the disposition of fines and forfeitures paid by any person convicted in the County Inferior Court of Shelby County of violations of the laws of this State relating to the licensing of drivers of motor vehicles, where the person was arrested by a Shelby County law enforcement officer.

Local Legislation No. 1.

Notice and Proof H. 1475:

STATE OF ALABAMA
COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; providing further for the disposition of fines and forfeitures paid by any person convicted in the County Inferior Court of Shelby County of violations of the laws of this state relating to the licensing of drivers of motor vehicles, where the person was arrested by a Shelby County law enforcement officer.

Be It Enacted by the Legislature of Alabama:

Section 1. All fines and forfeitures hereafter paid by any person convicted in the County Inferior Court of Shelby County of violations of the laws of this state relating to the licensing of drivers of motor vehicles, where the person convicted was arrested by the Shelby County sheriff or his deputies or by any other county law enforcement officer authorized and qualified to make such arrests, shall be paid into the general fund of Shelby County.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, 10, 17, and 24, all in the year 1973.

MARCIA SEARS.

Sworn to and subscribed before me May 25, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 1476. Relating to Shelby County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Local Legislation No. 1.

Notice and Proof H. 1476:

STATE OF ALABAMA COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Shelby County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Shelby County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the general fund of Shelby County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana—Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, 10, 17, and 24, all in the year 1973.

MARCIA SEARS.

Sworn to and subscribed before me May 25, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Local Legislation No. 1.

Notice and Proof H. 1477:

LEGAL NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance as distinguished from details of the following:

A BILL
TO BE ENTITLED
AN ACT

An Act, To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein,

Be It Enacted by the Legislature of Alabama:

SECTION 1. To Alter, re-arrange and extend the boundaries and corporate limits of The City of Pelham, Alabama, so as to incorporate certain territory as described herein, to-wit:

All of Section 2 and Section 11, Township 20 South, Range 3 West, lying east and southeast of the following described line: Begin at the South-

west corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 11 and run North to a point 249.34 feet North from the Southwest corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence turn an angle left of 64 deg. and 51 min. and run a distance of 867.62 feet to a point; thence turn an angle right of 90 deg. 00 min. and run a distance of 1,847.59 feet to a point; thence turn an angle left of 25 deg. 09 min. and run a distance of 371.0 feet to the Northwest corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence turn an angle right of 62° 51 min. 45 sec. and run a distance of 533.17 feet to a point on the West right of way line of Shelby County Highway No. 105; thence run in a Northwesterly direction along said right of way to its projected intersection with the Westerly right of way line of Alabama State Highway No. 261, thence turn right and run North-easterly along said Northwesterly right of way line of Highway No. 261 to its intersection with the South boundary of the North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 2.

ALSO, the North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 2, Township 20 South, Range 3 West.

All of lots 3, 4, 5, 6, 7, 8, 9, and 10 of Valley Dale Estates, recorded in Map Book 4, page 90, in the Probate Records of Shelby County, Alabama.

All of Section 36, Township 19 South, Range 3 West, lying Southeast of Alabama State Highway No. 261 which is not presently within the City limits of The City of Pelham, Alabama.

All of Section 25, Township 19 South, Range 3 West, lying Southeast of Alabama Highway No. 261.

All of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, Township 19 South, Range 2 West, lying Southeast of Shelby County Highway No. 17.

That part of Section 31, Township 19 South, Range 2 West, lying West and South of the following described line: Begin at the Northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 31; thence run South along the center of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 31 to its intersection with the easterly right of way line of U.S. Highway No. 31; thence run Southerly along said east right of way line to its intersection with the South right of way line of Alabama Highway No. 119 (Cahaba Valley Road); thence run east along a line parallel to the South boundary of said Section 31 to a point on the east boundary of Section 31; thence run South along said East boundary to the Southeast corner of said Section 31;

All of Section 6, Township 20 South, Range 2 West, not presently within the City Limits of the City of Pelham, Alabama, except that part lying within Oak Mountain State Park;

All of Section 7, Township 20 South, Range 2 West, except that part lying within Oak Mountain State Park;

All of Section 8, Township 20 South, Range 2 West, except that part lying within Oak Mountain State Park;

All of Section 18, Township 20 South, Range 2 West, not presently within the City Limits of the City of Pelham, Alabama;

All of Section 17, Township 20 South, Range 2 West, not presently within the City Limits of the City of Pelham, Alabama, except that part lying within Oak Mountain State Park;

All of Section 19, Township 20 South, Range 2 West, not presently within the City Limits of the City of Pelham, Alabama.

That part of Section 20, Township 20 South, Range 2 West, not presently within the City Limits of the City of Pelham, Alabama, lying Northwest of the Seaboard Coast Line Railroad;

That part of Section 21, Township 20 South, Range 2 West, lying Northwest of the Seaboard Coast Line Railroad;

That part of Section 30, Township 20 South, Range 2 West, lying North and Northwest of the Seaboard Coast Line Railroad;

That part of Section 29, Township 20 South, Range 2 West, lying Northwest of the Seaboard Coast Line Railroad;

That part of Section 25, Township 20 South, Range 3 West, not presently within the City Limits of the City of Pelham, Alabama, lying Northeast of the Seaboard Coast Line Railroad;

All in Shelby County, Alabama.

SECTION 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the City of Pelham, voting in a referendum election to be held on a day designated by the Probate Judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the Probate Judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama, 1940, as recompiled, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no municipal resolution of the municipal governing body need be made or filed with the Probate Judge, nor need a plat of map of the territory to be annexed be filed with the Probate Judge. The question shall be on the adoption of Act No. — of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Pelham, in Shelby County, Alabama. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes". If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The City of Pelham shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes", the provisions of this Act shall become operative immediately. If the majority are "No", this Act shall have no further effect.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mildred Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was

Assoc. Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

MILDRED WALLACE.

Sworn to and subscribed before me June 15, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Local Legislation No. 1.

Notice and Proof H. 1478:

LEGAL NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance as distinguished from details of the following:

A BILL TO BE ENTITLED AN ACT

An act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster, so as to incorporate certain territory as described herein, to-wit:

Begin at the Southwest Corner of the Southwest Quarter of the Southwest Quarter of Section 31, Township 20 South, Range 2 West, Shelby County, Alabama; thence run in an Easterly direction along the South line of said Quarter-Quarter to the Southeast Corner of said Quarter-Quarter; thence run in a Northerly direction one-half mile more or less to the Southwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 31; thence run in an Easterly direction one-half mile more or less to the Southeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 31; thence run one half mile more or less to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 31; thence continue in a Northerly direction along the East line of the Southwest Quarter of the Southeast Quarter of Section 30, Township 20 South, Range 2 West and continuing in a Northerly direction along the East line of the Northwest Quarter of the Southeast Quarter of said Section 30 and continuing in a Northerly

direction along the East line of the Southwest Quarter of the Northeast Quarter of said Section 30 to its intersection with the Center line of the Atlantic Coast Line Railroad; thence run in a Southwesterly and Northwesterly direction along the Center line of Atlantic Coast Line Railroad for a distance of 5,800 feet more or less to its intersection with the North line of the Southeast Quarter of Section 25, Township 20 South, Range 2 West; thence run in a Westerly direction along the North line of the Southeast Quarter of Section 25, Township 20, South, Range 2 West to the Northwest Corner of said Southeast Quarter; thence run in a Southerly direction along the West line of said Southeast Quarter one half mile more or less to the Southwest Corner of said Southeast Quarter of Section 25; thence run in a Westerly direction along the North line of the Northeast Quarter of the Northwest Quarter of Section 36, Township 20 South, Range 3 West 660 feet more or less to its intersection with the North-South Center line of said Quarter-Quarter; thence run in a Southerly direction along the North-South center line of said Quarter-Quarter to its intersection with the South line of said Quarter-Quarter; thence run in a Westerly direction along the South line of said Quarter-Quarter a distance of 660 feet more or less to the Northwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 36; thence run in a Southerly direction along the North-South Center line of the Northwest Quarter and continuing along the North-South Center line of the Southwest Quarter of said Section 36 three fourths of one mile more or less to the Southwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 36; thence continue in a Southerly direction along the North-South Center line of the Northwest Quarter of Section 1, Township 21 South, Range 3 West one-half mile more or less to the Northwest Corner of the Northeast Quarter of the Southwest Quarter of said Section 1; thence continue in a Southerly direction along the West line of said Quarter-Quarter a distance of 660 feet more or less to the East-West Center line of the said Northeast Quarter of the Southwest Quarter of said Section 1; thence run in an Easterly direction along the East-West Center line of said Section 1, said line also being the existing City Limit line of Alabaster a distance of 1,200 feet more or less to its intersection with the Center line of Interstate Highway I-65; thence run in a Southwesterly and Southerly direction along the Center line of said Interstate Highway I-65 to its intersection with the Center line of U.S. Highway 31 situated in the Southeast Quarter of the Southwest Quarter of said Section 1; thence run in a Northwesterly direction along the Center line of said U.S. Highway 31 to its intersection with the West line of the Southeast Quarter of the Southwest Quarter of said Section 1; thence run in a Southerly direction along the West line of said Quarter-Quarter to the Southwest Corner of said Quarter-Quarter; thence run in an Easterly direction along the South line of said Section 1 three fourths of one mile more or less to the Southeast Corner of said Section 1; thence run in a Northerly direction along the East line of said Section 1 one mile more or less to the point of beginning.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the City of Alabaster, voting in a referendum election to be held on a day designated by the Probate Judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the Probate Judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Ti-

tle 37, Code of Alabama, 1940 as recompiled for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the Probate Judge, nor need a plat of map of the territory to be annexed be filed with the Probate Judge. The question shall be on the adoption of Act No. _____ of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Alabaster in Shelby County, Alabama. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes". If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The City of Alabaster shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes", the provisions of this Act shall become operative immediately. If the majority are "No", this Act shall have no further effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

MARCIA SEARS.

Sworn to and subscribed before me June 8, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (With Notice and Proof):

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Local Legislation No. 1.

Notice and Proof H. 1479:

LEGAL NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama, for introduction and passage of a Bill, the substance of which, as distinguished from details, is and will be the substance as distinguished from details of the following:

A BILL
TO BE ENTITLED
AN ACT

An Act, To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama, so as to incorporate certain territory as described herein, to-wit:

Commence at a 6" × 6" Concrete Marker in the center of Wilsonville, Ala. the same being 53.5 feet SW of the Southmost corner of the J. F. Pope Building; from said concrete marker, run South 54 deg. 26 min. 49 sec. East a distance of 5,280 feet to a point on the North line of Section 7, Township 21 South, Range 2 East and the present Town Limits line, said point being 4,196.66 feet East of the NW corner of said Section 7, and the point of beginning; thence run East along the North line of said Section 7 a distance of 230 feet, more or less, to Contour Line, Elevation 397.00; thence run in a Southerly direction along the meandrians of said Contour Line, to a point on the East line of said Section 7, said point being 350 feet, more or less, North of the SE corner of said Section 7; thence continue in a Southeasterly direction along the meandrians of Contour Line Elevation 397.00, to a point on the South line of Section 8, Township 21 South, Range 2 East, said point being 220 feet, more or less, East from the SW corner of said Section 8; thence continue in a Southerly direction along the meandrians of Contour Line, Elevation 397.00, to a point in the NW¼ of the NW¼ of Section 17, Township 21 South, Range 2 East, said point being 630 feet, more or less, South of and 360 feet, more or less, East of the NW corner of said Section 17; thence continue in a North and Northwesterly direction along the meandrians of Contour Line, Elevation 397.00, to a point on the East line of Section 18, Township 21 South, Range 2 East, said point being 510 feet, more or less, South from the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, to a point in the NE¼ of the NE¼ of Section 18, Township 21 South, Range 2 East, said point being 1,090 feet, more or less, South, and 590 feet, more or less, West of the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northeasterly direction, to a point on the East line of said Section 18, said point being 960 feet, more or less, South from the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, to a point in the NW¼ of the NW¼ of Section 17, Township 21 South, Range 2 East, said point being 890 feet, more or less, South of, and 350 feet, more or less, East of the NW corner of said Section 17; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Southeasterly direction to a point in the SW¼ of the NW¼ of Section 17, Township 21 South, Range 2 East, said point being 1,820 feet, more or less, South of and 600 feet, more or less, East of the NW corner of said Section 17; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northwesterly direction, to a point in the SW¼ of the NW¼; said point being 1,660 feet, more or less, South of and 390 feet, more or less, East of the NW corner of said Section 17; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Southwesterly

direction to a point on the West line of Section 17, Township 21 South, Range 2 East, said point being 2,630 feet, more or less, South from the NW corner of Section 17; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Southwesterly direction, to a point in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 3,080 feet, more or less, South of and 170 feet, more or less, West of the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northeasterly direction to a point on the East line of Section 18, Township 21 South, Range 2 East, said point being 2,660 feet, more or less, South from the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northeasterly direction, to a point in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 21 South, Range 2 East, said point being 2,000 feet, more or less, South of and 120 feet, more or less, East of the NW corner of said Section 17; thence continue along the meandrians of Contour Line, Elevation 397.00, in an Easterly direction, to a point in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 21 South, Range 2 East, said point being 2,020 feet, more or less, South of and 610 feet, more or less, East of the NW corner of said Section 17; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Southerly direction to a point on the West line of Section 17, Township 21 South, Range 2 East, said point being 4,690 feet, more or less, South of the NW corner of Section 17; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Westerly direction to a point on the South line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 2,400 feet, more or less, West of the East Line of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northerly direction to a point in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 3,430 feet, more or less, South of and 2,320 feet, more or less, West of the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in an Easterly direction to a point in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 3,430 feet, more or less, South of and 2,150 feet, more or less, West of the NE corner of Section 18, Township 21 South, Range 2 East; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Southerly direction to a point on the South line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 2,020 feet, more or less, West from the east line of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Southeasterly direction to a point in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 4,110 feet, more or less, South of and 1,780 feet, more or less, West of the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northeasterly direction to a point on the South line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 1,610 feet, more or less, West of the East line of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northeasterly direction to a point in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 2,980 feet, more or less, South of and 2,130 feet, more or less, West of the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Southeasterly direction to a point in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 3,340 feet, more or less, South of and 1,620 feet, more or less, West of the NE corner of said

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Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00 in a Northerly direction to a point in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 21 South, Range 2 East, said point being 2,550 feet, more or less, South of and 1,440 feet, more or less, West of the NE corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Westerly direction to a point on the West line of Section 18, Township 21 South, Range 2 East, said point being 2,820 feet, more or less, South of the NW corner of said Section 18; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Westerly direction to a point in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 21 South, Range 1 East, said point being 2,870 feet, more or less South of and 810 feet, more or less, West of the NE corner of said Section 13; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northerly direction to a point on the North line of Section 13, Township 21 South, Range 1 East, said point being 1,740 feet, more or less, West of the NE corner of said Section 13; thence continue along the meandrians of Contour Line, Elevation 397.00, in a Northwesterly direction to a point on the East line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Township 21 South, Range 1 East, said point being 819.62 feet South from the NE corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence run West a distance of 1,852.46 feet to a point on the East R.O.W. line of County Hwy. No. 61, said point being marked by a 6" \times 6" concrete post (P.T. Sta. 435 plus 43.2), thence turn an angle of 120 deg. 08 min. 42 sec. to the right and run along said R.O.W. line a distance of 602.83 feet to the P.C. of a R.O.W. curve, thence continue in same direction along the arc of said R.O.W. curve, (whose Delta Angle is 12 deg. 10 min. to the left, Tangent Distance is 411.34 feet, Radius is 3,859.53 feet, Lengty of Arc is 819.58 feet to the P.T. STA. 449 plus 57.2); thence continue in the same direction along said R.O.W. line a distance of 1,113.00 feet to the P.C. of a R.O.W. curve, thence continue in the same direction along the arc of said R.O.W. curve, (whose Delta Angle is 5 deg. 11 min. 17 sec. to the right, Tangent Distance is 63.06 feet, Radius is 1,392.00 feet, Length of Arc is 126.04 feet) to a point on the present Town Limits line, said point being South 40 deg. 04 min. 52 sec. West a distance of 5,280.00 feet from the center of the Town of Wilsonville, Ala., thence run in an Easterly direction along the arc of a curve marking the present Town Limits line, said curve having a Radius of 5,280 feet, Delta Angle of 94 deg. 31 min. 41 sec. to the left, Tangent Distance of 5,714.67 feet, Arc Length of 8,711.08 feet, to the point of beginning. All in Shelby County, Alabama.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Wilsonville, Alabama, voting in a referendum election to be held on a day designated by the Probate Judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the Probate Judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama, 1940 as recompiled for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the Probate Judge, nor need a plat of map of the territory to be annexed be filed with the Probate Judge. The question

shall be on the adoption of Act No. _____ of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the Town of Wilsonville in Shelby County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes". If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The Town of Wilsonville shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes", the provisions of this Act shall become operative immediately. If the majority are "No", this Act shall have no further effect.

STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 3, 10, 17, 24, 1973.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn before me this 25th day of May, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs:

H. 1480. To authorize cooperation among and between counties, municipalities, other governmental subdivisions and agencies, public corporations, the state, and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of areas.

State Administration.

By Messrs. Coshatt, Waldrop, Carnes, Wallace, Wynot, Barkett, Gray (F), Flippo, Hill, Naramore, Bowers, Crowe, Culver, Weeks, Bank, Grainger, Lutz, Nettles, Adwell, Erdreich, Gafford, McMillan, Dill, Hughes, Boles, Robertson, Waggoner, Ellis, Timmons, McNair, Falkenburg, King, Doss, St. John, McDonald, Drake, Mims, Hearn, Porter, Carter, Manley, Smith (P), Harris, Smith (K), Lang, Cauthen, Casey, Brassell, Reid (R), Stubbs, Reed (T), Agee, Owens, Jackson, Benton, Kinsey, Bassett, O'Daniel, Taylor, Stokes, Roberts, Stewart, Merrill, Cottingham, Perloff, McCorquodale, Collins, Hobbie, Crawford, Connell, Burgess, Grey (D), Goodwin, Hale and Jones (F):

H. 1481. To provide sales and use tax exemption for persons over the age of 65 on the purchase of prescription eye-wear.

Ways and Means.

By Messrs. Doss, Taylor, Lyons, King, Boles, Jones (E), Grainger, Erdreich, Wallace, Bowers, Hughes, Gafford, Weeks, McNair, Adwell, McBride, McMillan, Timmons, Hale, Boutwell, Ellis, Falkenburg, Waggoner, Drake, Burgess, Turner, Cottingham, Stokes, Downing, Hardin, Barron, Jones (F), Harris, Owens, Headley, Wise, Kinsey, Connell, Crawford, Edwards, Smith (K), Merrill, Snell, Smith (P), Benton, Carnes, Hearn, Goodwin, Hill, Flippo, Cross, Carter, Porter, Callahan, Gray (F), Reed (T), Stubbs, Barkett, Brassell, Turnham, Reid (R), Lutz, Warren, Wyntot, Jackson, Mims, Stewart, Roberts, Cauthen, Bank, Manley, Perloff, Agee, Culver, Casey, Nettles, Coshatt, Waldrop, St. John:

H. 1482. To establish a system of regulation and control of surface mining, a declaration of public policy and legislative intent, and to create and establish the Alabama Surface Mining and Environmental Protection Commission; to create a Director of the Commission with powers and authority, to establish necessity of licenses and permits, and proper application therefor, to require a conservation and reclamation plan and map, to set application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit; to provide for violations, administrative procedures, appeals from orders of the Director, legal remedies, enforcement proceedings, penalties; to establish the Alabama Surface Mining and Environmental Protection Fund, to provide saving and conforming provisions and establish the effective date and orderly transition to said new Act and repeal of the surface mining Act of 1969 (Act 399 Regular Session).

Commerce and Transportation.

By Messrs. Falkenburg, Doss, Gafford, McMillan, Boles, Adwell, Hughes, McNair, Boutwell, McBride, Weeks, Ellis, Wallace, Meeks, Bowers and Dill (With Notice and Proof):

H. 1483. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

Local Legislation No. 2.

Notice and Proof H. 1483:

LEGAL NOTICE

STATE OF ALABAMA JEFFERSON COUNTY

Notice is hereby given that a bill will be introduced in the current Regular Session, or at the next Special Session, of the Alabama Legislature for the passage of an Act to provide Judicial Officers in Jefferson County; to designate them as supernumerary county court judges of Jefferson County; to provide the conditions under which a county court judge of Jefferson County may become a supernumerary county court judge of Jefferson County; to prescribe the qualifications, tenure of office, duties, powers, authority and compensation and method of removal of supernumerary county court judges of Jefferson County and to regulate the duties of other officers with respect thereto; to make any other provisions appropriate to the purposes and implementation of this Act and to repeal conflicting laws.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, and that there was published in said newspaper in the issues of June 2, 9, 16, 23, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 25th day of June, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. O'Daniel, Robertson, Downing, Waggoner, Cottingham and Culver:

H. 1484. To provide a division of accounts, insurance and registration within the Public Service Commission; to provide for the chief of such division and provide for his salary.

State Administration.

By Messrs. McDonald and Drake:

H. 1485. Relating to the twenty-seventh judicial circuit; to provide for an expense allowance of \$3,600.00 per year to the district attorney of said judicial circuit to be supplemented by any county located in said district, in addition to any regular compensation.

Local Legislation No. 1.

By Messrs. McDonald and Drake:

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

Local Legislation No. 1.

By Messrs. McDonald and Drake:

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

Local Legislation No. 1.

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By Mr. Adwell:

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Local Legislation No. 2.

By Mr. Adwell:

H. 1489. To amend Code of Alabama 1940, Title 29, Section 34, so as to authorize the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in any wet county.

Commerce and Transportation.

By Messrs. Jackson and Wise:

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Local Legislation No. 1.

By Messrs. Burgess, Drake, Lang, Ellis, Boles, Naramore, Harris and Wallace:

H. 1491. To provide for lifetime driver's licenses, without cost, to all veterans or surviving spouses of such veterans, who are residents of Alabama.

Ways and Means.

BILLS RE-REFERRED

On motion of Mr. Lang to re-refer, the Speaker re-referred the bills, H. 1184 and H. 1185, from the Standing Committee on Ways and Means to the Standing Committee on Local Government.

RESOLUTIONS

The following resolutions introduced on the seventeenth legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 135. MOURNING THE DEATH OF JAMES A. SIMPSON

H. J. R. 136. MOURNING THE DEATH OF JAMES A. SIMPSON

H. J. R. 137. MOURNING THE DEATH OF WILLIE EARL LINDSEY

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 131. COMMENDING THE MEETING FOR THE MULTI-STATE, MULTI-MODE TRANSPORTATION CORRIDOR, AND THANKING MAYOR GEORGE SEIBELS, ELTON B. STEPHENS, AND BILL RICKER FOR THEIR WORK TOWARD THIS ENDEAVOR.

Also:

H. J. R. 130. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. McCorquodale:

H. J. R. 140. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 17, 1973, and that when the two Houses adjourn on Tuesday, July 17, 1973, they adjourn to meet again on Wednesday, July 18, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 140, was adopted.

Also:

By Mr. Lyons:

H. J. R. 141. WHEREAS, the Alabama Education Study Commission was created by Act of the Legislature of Alabama, Act 15, Special Session 1969, for the purpose of conducting a continuous study of public education in Alabama, making recommendations to the Legislature for the improvement of public education and for the purpose of keeping the Legislature fully advised of all matters pertaining to public education; and

WHEREAS, the Alabama Education Study Commission has been working with the State Department of Education, educators on all levels and many other organizations interested in education in making an inventory and analysis of Alabama's public schools at the elementary and secondary level; and

WHEREAS, the inventory of Alabama public schools was completed in June 1973, by the Alabama Education Study Commission and said inventory indicates that much progress has been made in our public schools; however, the inventory indicates that much needs to be done to improve the reading ability of our students; and

WHEREAS, the inventory further indicates that on the average the 8th grade student in Alabama is one and one half years behind the national average in reading ability, and that the 11th grade student is two years behind the national average in reading ability; and

WHEREAS, a study of the goals for education by the Alabama Education Study Commission through a series of lay-educator conferences held in each of Alabama's Congressional Districts indicates the top priority goal for

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education in Alabama is for students to develop skills, knowledge, and attitudes necessary for effective communication; and

WHEREAS, the State of Alabama has been designated to participate in the national "Right to Read" program; and

WHEREAS, proficiency in reading depends upon a variety of complex factors involving children, parents, schools, communities, educational leadership, and public officials; and

WHEREAS, there are many responsible persons, groups, and agencies interested in a unified and coordinated effort to improve reading proficiency to at least the national average for students in Alabama schools; and

WHEREAS, the members of the Legislature are vitally interested in achieving educational excellence in all public schools of Alabama and particularly interested in immediately taking the necessary steps to improve the reading proficiency and communicative ability of our students in public schools so that they will compare favorably with and exceed the national average for such students, and the Legislature further feels that top priority should be given by all agencies on all levels concerned with public education and by the Legislature of Alabama to improving the reading ability of students in the public schools of Alabama; now therefore, **BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF ALABAMA:**

THAT, for the period of time from 1973-1978, the top priority goal for education in Alabama be proficiency in reading, that is the average reading achievement test score for each local school system shall be at grade level when compared with the national score on the Statewide testing program; and

THAT, Each local and state education agency shall be encouraged to realign its resources in order to upgrade reading levels of students at all grade levels; and

THAT, The State Department of Education and the Alabama Education Study Commission are hereby designated to coordinate all efforts to meet this goal and a progress report shall be given the Legislature by May, 1975, including:

1. A detailed accounting of implementation plans for each local school system that measures below grade level in reading.
2. Objective and subjective measures of progress in reading achievement.
3. Identification of effective programs which are achieving the goal.
4. Assessment of fiscal and human resources needed to complete the five-year program.

THAT, all agencies, groups, clubs, communities, and individuals interested in upgrading education in Alabama be encouraged to adopt proficiency in reading as their major emphasis during the five year period 1973-1978.

The resolution, H. J. R. 141, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 63. Requesting that the Alabama Delegation to the United States Congress use its power and influence to procure the enactment of a 1973 Federal Aid Highway Act.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 433. To amend Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.), Entitled: "AN ACT Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county", so as to delete from Section 1 and Section 10 (c) references therein to the county of Mobile; to provide for the term during which the members of said Racing Commission shall hold office; to change the method of appointing the members of said Racing Commission; to add a new provision to provide for the severability of the parts, sections and provisions of said Act; and to amend the title of said Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the House concurred in and adopted the Senate amendment to the bill, H. 433, said Senate amendment being as follows:

Amend Section 5 of H. B. 433, as substituted, to read as follows:

"Section 5. The Racing Commission shall have the authority to employ legal counsel of its selection to advise the Commission and represent it in all proceedings. The compensation of such counsel shall be paid out of the general fund of the County in which said track or tracks may be located. No such legal counsel or a member of his firm shall hold elected public office."

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.), Entitled: "AN ACT Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county", so as to delete from Section 1 and Section 10(c) references therein to the county of Mobile; to provide for the term during which the members of said Racing Commission shall hold office; to change the method of appointing the members of said Racing Commission; to authorize the employment by said Racing Commission of special legal counsel in addition to representation by the office of the County Attorney; to prohibit members of said Racing Commission from making political contributions; to add a new provision to provide for the severability of the parts, sections and provisions of said Act; and to amend the title of said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.) is hereby amended to read as follows:

"Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county, and to provide for the severability of the parts, sections and provisions of the Act."

Section 2. Sections 1 through 23, inclusive, of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.) are hereby amended to read as follows:

"Section 1. A County Racing Commission is hereby created and established for and in each county having a population of not less than 300,000 nor more than 600,000 according to the most recent or any subsequent Federal decennial census and said Racing Commission is vested with the powers and duties specified in this Act, and all other powers necessary and proper to enable it to execute fully and effectually the purposes of the Act. The official name of said Commission shall be THE _____ COUNTY RACING COMMISSION, the same being sometimes referred to herein as the Racing Commission or the Commission. Said Commission shall consist of three persons who shall be appointed as follows: (1) One member of the Commission (Place Number One) shall be appointed by a Vote of two thirds ($\frac{2}{3}$) of the members elected to the Legislative Delegation of the County; (2) One member of the Commission (Place Number Two) shall be appointed by the _____ County Foundation for Public Higher Education (Act 41, House 92, 1962 Ex. Sess., pg. 51 Ala. Acts), if such foundation shall have been created heretofore in such County and if there be no such foundation, then such member shall be appointed in the same manner as Place Number Three; and (3) One member of the Commission (Place Number Three) shall be appointed by a majority vote of the municipalities of _____ County, each municipality being entitled to one (1) vote, and a majority of the Commission or Council of said municipality determining how said vote is cast. Each such member shall hold office for a term of three (3) years from the effective day of the appointment; provided, however, that the term of office for persons presently members of said Racing Commission shall expire as follows: (1) Place Number One shall expire on December 31, 1977; (2) Place Number Two shall expire on December 31, 1976; and (3) Place Number Three shall expire on December 31, 1975. All books, records, maps, documents and papers shall constitute public records, and be available for copying, examination and inspection during all normal business hours by any agency, official or person.

"Section 2. The members of the Commission shall be qualified electors not less than twenty-one years of age, who shall have resided in the County for the period of five years next preceding their appointment. Each Commissioner shall take the same constitutional oath of office as other county officers, and shall give bond payable to the County in the amount of \$5,000.00, conditioned that he will faithfully and properly perform the duties of his office. The premiums on such bonds shall be paid by the Commission. The Commission may employ such assistants and employees as may be necessary, but all such employees and assistants shall be subject to the county wide merit or civil service system, if any there be in such County, and their compensation and duties shall be prescribed in the same manner as the compensation and duties of other public employees subject to said county wide merit or civil service system.

"A member of the Racing Commission must not be an official member of any board of directors, or person financially interested in any race track or race meeting licensed by the Commission, nor shall he race dogs in any race meeting licensed by the Commission.

"Section 3. The compensation of each member of the commission shall be one hundred dollars (\$100.00) per month. One member of said commission shall be required to be in attendance at each racing event, and said designated member shall receive an additional thirty dollars (\$30.00) per diem while engaged in the performance of his duties. The above sums shall be

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paid out of the funds in the county treasury deposited to the credit of the County Racing Commission, and shall be paid to the commissioners in the same manner as the compensation of other county officers is paid.

"Section 4. The County Treasurer of the County shall be ex-officio treasurer of the Racing Commission, and shall collect all the license fees, taxes, and monies provided in this Act, and shall supervise, check and audit the operation of the parimutuel wagering pools and the conduct and distribution thereof.

"Section 5. The County Attorney of the County, or his designated assistant, shall act as attorney for the Commission, without additional salary therefor. Said attorney shall counsel and advise the Commission and represent it in all proceedings; provided, however, that said Racing Commission shall have the authority to employ special legal counsel of its selection to perform these and other duties. The compensation of any such special counsel shall be paid out of the general fund of the County in which said track or tracks may be located. No such legal counsel shall hold elected public office.

"Section 6. It shall be the duty of the County Racing Commission to carry out the provisions of this Act; and it shall have the following specific duties:

"(1) To fix and set dates upon which race meetings may be held or operated.

"(2) To make an annual report to the county commission of its operation, showing its own actions and rulings, and receipts derived under the provisions of this Act, and such suggestions as it may deem proper for the more effective accomplishment of the purpose of this Act.

"(3) To require each applicant, who must have been a resident of the State of Alabama for at least five years immediately preceding the date the license is issued, to set forth on his application for a license to operate a race meeting the following information:

"(a) The full name of the person, association, or corporation, and if a corporation, the name of the State under which the same is incorporated, and the name of the corporation's agents for service of process within the State of Alabama.

"(b) If an association or corporation, the names of the stockholders and directors of the corporation or the names of the officers and directors of the association.

"(c) The exact location where it is desired to conduct or hold a race meeting and a complete set of architects' renderings and detailed construction plans, showing the site topography, the type of construction, the track design and the concession plans, together with a statement of the assets and liabilities of the person, firm or corporation making such application.

"(d) Whether the racing plant is owned or leased, and if leased, the name and address of the owner, or if the owner is a corporation, the names of the officers and directors thereof, each of whom shall have been a resident of the State of Alabama for at least five years immediately preceding the date on which the license is issued; provided, however, that nothing in this Act shall prevent any person, association, or corporation from applying to the

commission for a permit to conduct races where the racing plant has not been constructed.

“(e) The kind of racing to be conducted and the dates requested.

“(f) Such other information as the commission may require.

“(4) To require an oath of every applicant, or by the president or executive officer of the association or corporation, stating that the information contained in the application is true.

“(5) To make uniform rules and regulations governing the holding, conducting, and operating of all race tracks, race meetings, and races held in the county.

“Section 7. ALL BOOKS, RECORDS, MAPS, DOCUMENTS, AND PAPERS OF THE COMMISSION, INCLUDING THOSE FILED WITH THE COMMISSION AS WELL AS THOSE PREPARED BY OR FOR IT, SHALL AT ALL TIMES BE OPEN FOR THE PERSONAL INSPECTION OF ANY OFFICER OF THE State of Alabama, or of any county, municipality, or other subdivision of the State, or of any official investigative body or committee, and no person having charge or custody thereof shall refuse this right to any officer or investigative body or committee, and it shall be the express duty of such person to assist such officer or committee in locating records or information desired by them. Any member or employee of the commission who violates the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not exceeding three months. If any member of the commission violates the provisions of this section, he shall be subject to removal from office.

“Section 8. Any person, association, or corporation desiring to operate a race track in the county shall have the right, subject to the provisions of this Act, to hold and conduct one or more race meetings at such track each year, provided, that no such license shall be granted to any person, association, or corporation, or to any track, for a period longer than one hundred twenty racing days in any one year. Any and all applicants for license to operate under this Act shall have been residents of the State of Alabama for at least five years immediately preceding the date on which such license is issued.

“Section 9. No race or racing shall be permitted on Sunday. No person under twenty-one years of age shall be employed in any manner about said race track except as exercise boys and grooms; nor shall persons under eighteen years of age be permitted to attend any race.

“Section 10. (a) On or before the 15th day of October of each year, any person, association, or corporation possessing the qualifications prescribed in this Act shall have the right to apply to the Racing Commission for a permit or license to conduct race meetings and racing under this Act. On or before the first day of December of each year, after the receipt of any such application, the commission shall convene to consider and act upon all permits or licenses applied for. Approved permits or licenses shall be granted for a period of one year from the date of issuance and shall set forth, in addition to any other information prescribed by the Commission, the name of the licensee, the location of the race track, the duration of the race meeting and the kind of racing desired to be conducted and shall show the receipt by the

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Commission of the license fee set by the Commission, the setting of which is hereby authorized. No such license shall be transferable, nor shall it apply to any other place, track, or enclosure except the one specified in this license.

“(b) The Commission shall not issue any licenses which would permit any two race tracks in the County to operate on the same racing days. Further, after the first license has been issued to the licensee, all subsequent annual applications for a license by a permit holder shall be accompanied by proof (in such form as the Commission may require) that said licensee still possesses the qualifications set out in this Act. Such application for renewal of license shall not be denied except for due cause.

“(c) All employees of said track must be bona fide resident citizens of the County in which said track is located.

“Section 11. The commission may suspend or revoke the license of any licensee conducting a race meeting, upon the willful violation of any of the provisions of the Act, or any rule or regulation promulgated by the Commission or may invoke a fine not to exceed \$1,000.00 per offense in lieu thereof.

“It is unlawful for any member of said Racing Commission, or any licensee under this chapter, directly or indirectly, to make any contribution whatsoever to any political party or to any candidate for any State, County or Municipal office, and upon proof being presented of any such prohibited contribution having been made by any licensee, the Commission shall immediately and permanently revoke the license of such licensee. If any member of said Racing Commission violates the provisions of this section, such member shall be subject to removal from office. No disciplinary action may be taken hereunder until the licensee has been presented with notice in writing specifying the time and place of a disciplinary hearing, said notice setting out in substance the nature of the accusation, and inviting the licensee to appear, with or without counsel, as the licensee may decide, the licensee being afforded an opportunity to face and examine his accusers, call witnesses, and testify if he chooses.

“Section 12. The commission is empowered to compel the production of any and all books, memoranda, or documents showing the receipts and disbursements of any person, association or corporation licensed to conduct race meetings under the provisions of this Act. The commission may at any time require the removal of any employee or official employed by any licensee hereunder whenever it has reason to believe that such employee or official is guilty of any improper practice in connection with racing, has failed to comply with any condition of the license, or has violated any rule adopted by the commission. The commission shall have the power to require that the books and financial or other statements of any licensee be kept in a manner and method provided by the commission; and the commission shall be authorized to visit, investigate, and place auditors and inspectors in the offices, tracks, or place of business of any person, association or corporation licensed under this Act. The commission shall have power to summon witnesses before its meetings; to administer oaths to such witnesses, and to require testimony on any issue before it. Any person failing to appear before said commission, or failing to produce books, records, and documents ordered, or refusing to testify thereon, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than

five hundred dollars (\$500.00), or by imprisonment not to exceed six months, or by both fine and imprisonment in the discretion of the court.

"Section 13. The commission shall have the power to grant, refuse, suspend, or withdraw licenses to all persons connected with race tracks, including gate keepers, announcers, ushers, starters, officials, drivers, dog owners, agents, trainers, grooms, stable foremen, exercise boys, veterinarians, valets, sellers of racing forms or bulletins, and attendants in connection with the wagering machines, pursuant to such rules and regulations as the commission may adopt and upon the payment of a license fee as fixed and determined by the commission in accordance with the position and compensation of such person. Any license may be revoked by the commission, at its discretion, and any person whose license is revoked shall be ineligible to participate in such occupation connected with racing unless the license is returned by the commission with permission to operate thereunder. The commission may deny or revoke a license to any person who has been refused or denied a license by any other state racing commission or racing authority.

"Section 14. The commission shall make rules governing, permitting, and regulating the wagering on dog races under the form or mutual wagering by patrons known as "Pari-Mutuel Wagering", which method shall be legal to the extent that, and so long as, the same is carried on and conducted strictly in conformity with this Act, and not otherwise. Only the persons, associations, or corporations receiving a license from the commission shall have the right or privilege to conduct this type of wagering, and the licenses shall restrict and confine this form of wagering to a space within the race meeting grounds. All other forms of wagering on the result of dog races shall continue to be illegal, and any or all wagering outside of the enclosure of such races, where such races shall have been licensed by the commission shall be illegal.

"No person or corporation shall directly or indirectly purchase pari-mutuel tickets or participate in the purchase of any part of a pari-mutuel pool for another for hire or for any gratuity and no person shall purchase any part of a pari-mutuel pool through another, wherein he gives or pays directly or indirectly such other person anything of value. Any person violating this section shall be deemed guilty of a misdemeanor, and, upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed six months, or both fine and imprisonment in the discretion of the court.

"Section 15. Every licensee conducting race meetings under the provisions of this Act, shall pay to the Ex-officio Treasurer of the Racing Commission for the use of the Commission, a tax in an amount equal to eight (8) percent of the total contributions to all pari-mutuel pools conducted or made on any race track licensed under this Act. The Commission of a licensee on a pari-mutuel pool shall in no event exceed eighteen percent (18%) of the amount contributed to said parimutuel pool, which amount shall include the eight percent (8%) tax heretofore provided. After the deduction of the eight percent (8%) for the use of the commission and the percentage commission of the licensee, the remainder of the total contributions to each pool shall be divided among and redistributed to the contributors to such pools betting on the winning dog. The amount of each redistribution for each winning bet placed shall be determined by dividing the total amount remaining in the pool after the deductions hereinabove provided for by the number of bets placed on the winning dog. Each redistribution shall be made in a sum equal to the next lowest multiple of ten. The licensee is entitled to retain one-half ($\frac{1}{2}$) of

the odd cents on all redistributions to be known as the "breaks to a dime." The remaining one-half (½) of the "breaks" shall be paid to the Ex-officio Treasurer of the Racing Commission for the use of the Commission as a "breaks tax". Under the parimutuel system of wagering herein provided, the licensee shall be permitted to provide separate pools for bets to win, place, and show and also a daily double pool, a quiniela pool and a double quiniela pool. Each pool shall be redistributed separately as here in provided. Should there be no ticket bet on the winning dog, the entire pool will be divided among the holders of tickets on the dog running next in line until the pool has been redistributed to the contributors. The licensee shall be required to use a totalizator machine to record the wagering and compute the odds. Rules and regulations governing the operation of each of the pools shall be set out in book form by the Racing Commission. The licensee shall collect from each person attending the race meetings under the provisions of this Act fifteen percent (15%) of the established admission price or ten cents, whichever sum is the greater, as an admission tax. Licensees shall make payment of such taxes to the ex-officio treasurer of the Racing Commission every seventh calendar day of any and every race meeting, which payment shall be accompanied by a report on the races covered by such report and such other information as the commission may require.

"Section 16. If any free passes or complimentary cards shall be issued to guests by any licensee, such licensee shall nevertheless be responsible for payment of the admission tax upon such complimentary admission cards or passes as though they had been sold at regular admission price. However, nothing herein contained shall be construed to prohibit the issuance of tax-free passes to officials and actual employees of the licensee, or other persons actually engaged in working at such track, including persons actually employed and accredited by the press or other news service; provided, that the issuance of all such tax-free passes shall be governed by the regulations and orders of the commission and a list of all such officers, employees, and news service representatives shall be filed with the commission.

"Section 17. The license fees, commissions, and excise taxes imposed herein shall be in lieu of all license, excise, and occupational taxes to the State of Alabama, or any county, city, town, or other political subdivision thereof.

"Section 18. All fees, commissions, taxes and other monies, including fines and forfeitures, received under the provisions of this Act shall be paid to the ex-officio treasurer of the Racing Commission and shall be forthwith remitted by him to the County Treasurer of the County for deposit in the County treasury to the account of THE—COUNTY RACING COMMISSION. All such monies remaining after payment of the expenses incurred in the administration of this Act, including the payment of the salaries and expenses of the members and employees of the Commission shall be distributed by the treasurer of the county, monthly as follows: Forty percent (40%) to the University of South Alabama for the use of the medical school; Ten percent (10%) to S. D. Bishop State Junior College (formerly known as Mobile State Junior College); fifteen percent (15%) to the Board of School Commissioners of the largest school district in the County and thirty percent to be divided among the counties and municipalities located therein on a proportionate basis according to the total populations of such legal entities, the population of the County being determined by counting only the number of residents of the County living outside the area of any incorporated municipality,

all of said funds so distributed to be used by the respective governing bodies of each such entity for law enforcement purposes. 5% to the Policemen's and Fire Fighters Pension and Relief Fund.

"Section 19. The provisions of this Act shall not apply to the running of races conducted by any state fair association or county fair association which holds not more than one meeting annually and which restricts such annual meeting to three days or less.

"Section 20. Any corporation, association, or person who directly or indirectly holds any dog race without having procured a license as prescribed in this Act, shall be guilty of a misdemeanor. Any person wagering upon the results of such a race, except in the pari-mutuel or mutuel method of wagering when the same is conducted by a licensee and upon the grounds or enclosure of said licensee, shall be guilty of a misdemeanor. Any corporation, organization, association, or person who violates any provision of this Act, for which a penalty is not expressly provided shall be guilty of a misdemeanor. Upon conviction of any of the above misdemeanors in a court of competent jurisdiction, the penalty shall be a fine of not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00), or by imprisonment of not less than five days nor more than six months, or both, such fine and imprisonment to be in the discretion of the court.

"Section 21. No person who engages in the practice of professional gambling on dog races, or in the practice of making gambling or wagering books on such races, or who knowingly takes any part in such practices, shall be eligible as an applicant for any license or permit to operate a race track or a race meeting under the provisions of this Act, or to be connected therewith in any capacity; and any association or corporation which has as an officer, director, stockholder, executive, or employs any person who engages in such practices shall likewise be ineligible as a licensee, and the commission is hereby empowered to inquire into such matters in entertaining any such applications and otherwise in administering this Act.

"Section 22. Any person who shall influence or have any understanding or connivance with any owner, groom, or other person associated with or interested in any kennel, dog, or race in which any dog participates, to prearrange or predetermine the results of any such race, or any person who shall stimulate or depress a dog for the purpose of affecting the results of a race, shall be guilty of a felony and upon conviction thereof, shall be imprisoned in the state prison for not less than one year nor more than ten years, or shall be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) or both, in the discretion of the court.

"Section 23. It shall be unlawful for any person to transmit or communicate to another by any means whatsoever the results, changing odds, track conditions, or any other information relating to any dog race from any race track in the county, between the period of time beginning one hour prior to the first race of any day and ending thirty minutes after the posting of the official results of each race, as to that particular race, except that this period may be reduced to permit the transmitting of the results of the last race each day not sooner than fifteen minutes after the official posting of such results. Provided, however, that the commission may, by rule, permit the immediate transmission by radio, television, or press wire of any pertinent information concerning feature races.

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"It shall be unlawful for any person to transmit by any means whatsoever racing information to any other person, or to relay the same to any other person by word of mouth, by signal, or by use of telephone, telegraph, radio, or any other means, when the information is knowingly used or intended to be used for illegal gambling purposes, or in furtherance of such gambling purposes.

"Any person violating the provisions of this section shall be guilty of a felony and, upon conviction, shall be imprisoned in the state penitentiary for not less than one year nor more than ten years, or shall be fined not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000.00), or both, in the discretion of the court."

Section 3. Section 25 of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.) is hereby amended to read as follows:

"Section 25 (a) All laws or parts of laws in conflict with this Act are repealed.

"(b) The provisions of this Act are severable. In the event any section or part thereof is declared invalid, such declaration shall not affect the validity of the part and sections which remain."

Section 4. All laws or parts of laws in conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. In the event any section or part thereof is declared invalid, such declaration shall not affect the validity of the part and sections which remain.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Messrs.:	Edwards	King	Reynolds
Adwell	Ellis	Kinsey	Roberts
Barkett	Erdreich	Lutz	Robertson
Benton	Falkenburg	McBride	Smith (K)
Boles	Flippo	McCluskey	Smith (P)
Boutwell	Gafford	McMillan	Snell
Callahan	Goodwin	McNair	Stubbs
Carnes	Grainger	Manley	Taylor
Carter	Gray (F)	Mathews	Timmons
Casey	Grey (D)	Meeks	Turner
Cauthen	Hale	Merrill	Waldrop
Cottingham	Harris	Mims	Wallace
Crawford	Headley	Naramore	Warren
Cross	Hill	Nettles	Weeks
Culver	Hobbie	Owens	Williams
Dill	Hughes	Pruitt	Wise
Doss	Jackson	Reid (R)	Wynot
Downing	Jones (F)		

And the bill:

H. 433. To amend Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971. p. 3880 Et Seq.), Entitled: "AN ACT Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census: to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon: to prescribe the composition, appointment, powers and duties of the commission: to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks: to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act: and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county", so as to delete from Section 1 and Section 10(c) references therein to the county of Mobile: to provide for the term during which the members of said Racing Commission shall hold office; to change the method of appointing the members of said Racing Commission; to authorize the employment by said Racing Commission of special legal counsel in addition to representation by the office of the County Attorney: to prohibit members of said Racing Commission from making political contributions; to add a new provision to provide for the severability of the parts, sections and provisions of said Act; and to amend the title of said Act.

As thus amended, was again read at length and passed.

Yeas 69; Nays 1.

Yeas:

Messrs.:	Edwards	King	Robertson
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdeich	McBride	Smith (P)
Bassett	Falkenburg	McCluskey	Snell
Benton	Flippo	McMillan	Stokes
Boles	Goodwin	McNair	Stubbs
Boutwell	Grainger	Manley	Taylor
Callahan	Gray (F)	Meeks	Timmons
Carnes	Hale	Merrill	Turner
Carter	Hardin	Mims	Waggoner
Cauthen	Harris	Naramore	Waldrop
Coshatt	Headley	Nettles	Wallace
Cottingham	Hearn	Owens	Warren
Crawford	Hill	Pruitt	Weeks
Cross	Hobbie	Reed (T)	Williams
Culver	Hughes	Reynolds	Wise
Dill	Jackson	Roberts	Wynot
Downing	Jones (F)		

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Nay: Mr. Lyons.

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RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hill and Flippo:

H. J. R. 142. WISHING L. T. WAGNON MANY HAPPY YEARS OF LEISURE UPON HIS FORTHCOMING RETIREMENT AS COUNTY AGENT IN LAUDERDALE COUNTY.

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WHEREAS L. T. Wagnon is retiring after a long and successful career as County Agent in Lauderdale County, Mr. Wagnon served as County Agent for more than fifteen years and his entire career as an extension worker covers a span of more than thirty-six years; and

WHEREAS L. T. Wagnon is a native of Colbert County and graduated from Tuscumbia (now Deshler) High School in 1924. He displayed a thirst for knowledge and used his keen mind to graduate from Florence Normal School and the Agricultural School of Education at Auburn University. He displayed numerous other well rounded talents by working at various jobs on the farm and at a sawmill. Beginning a great and life long interest in young people he served as a classroom teacher and assistant football coach at Deshler High School; and

WHEREAS he contributed greatly to his country and state by serving as an Educational Advisor to the Civilian Conservation Corps in Muscle Shoals during the depression; and

WHEREAS he began his association with the cooperative extension service in 1935 when he was hired as an Assistant County Agent. He worked as County Agent in Morgan and Jackson counties from 1940 until 1957 when he became County Agent in Lauderdale County. Prior to this period, while Mr. Wagnon working with the 4-H program in Cullman County, said county was reputed to have more boys enrolled in the 4-H program in 1937 than the entire State of South Carolina; and

WHEREAS many notable improvements were made during Mr. Wagnon's term as County Agent. From an agricultural standpoint the increase in gross farm income from slightly above \$8,000,000 in 1960 to slightly above \$18,000,000 in 1972 cannot be overlooked. He was instrumental in helping farmers to accept changes; to improve soil fertility by using lime and fertilizer according to the needs of the soil and crops to be grown, thus increasing yields of cash, feed and grazing crops; and

WHEREAS L. T. Wagnon demonstrated a deep sensitivity and responsiveness to the needs of his fellowmen. He is a true Southern gentleman and a great credit to his state and country; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes L. T. Wagnon "best wishes" upon his forthcoming retirement as County Agent of Lauderdale County. This body also expresses its deep appreciation for the many services that Mr. Wagnon has performed for this state.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mr. L. T. Wagnon.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 142, on the Clerk's desk for one legislative day.

Also:

By Messrs. Jackson and Wise:

H. J. R. 143. COMMENDING HARRY W. BOLAND OF OPP FOR RISKING HIS OWN LIFE TO AID OPP POLICEMAN ROBERT EARL ANDERSON.

WHEREAS, these dangerous times in which we live can only be transformed into a life of freedom from crime and violence by the determined and courageous effort and personal sacrifice of enough individual men and women; and

WHEREAS, too often the exploits of criminals dominate the news and the heroic acts of individual persons go unrecognized, or unnoticed; and

WHEREAS, this can be changed to some extent by a continuing recognition of those who dare to act for the public good. For this reason the courageous act of a private citizen in Opp, Alabama, is hereby recorded and memorialized; and

WHEREAS, on Thursday evening, February 15, 1973, around 11:00 p.m., Robert Earl Anderson, an Opp policeman, was on routine patrol when he was ambushed in the course of investigating a crime. Officer Anderson was told by his assailant that he "had no use for policemen" and that he was going to kill him. A desperate struggle ensued, and Officer Anderson was struck by two bullets—one through the left arm and one grazing his right temple. While they were fighting for the gun, Harry W. Boland, who works for Opp-Micolas Cotton Mills, heard the gunfire, called the police department for help, and rushed to the assistance of Officer Anderson. He proceeded to pull the assailant who had the gun off the police officer thereby effectively aiding in saving the officer's life and in accomplishing the arrest of his attacker; and

WHEREAS, in these days of "non-involvement" it is good to recognize the acts of brave "involvement"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the courageous act of Harry W. Boland in assisting an officer of the law be recognized, commended and publicly appreciated. May his kind grow in number until we can once again live in peace in communities freed of criminals.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Harry W. Boland in Opp, to Hubert T. Sullivan, c/o Opp-Micolas Cotton Mills, and to the OPP NEWS.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 143, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 144. RECOGNIZING DR. JESSE M. RICHARDSON UPON HIS RETIREMENT.

WHEREAS Dr. Jesse M. Richardson has served the citizens of this state as an administrator and educator for a period extending over three decades; and

WHEREAS Dr. Richardson's contributions in the study of Economics and Geography have thrust him into national prominence and have resulted in his membership in numerous professional associations, including the Association of American Geographers, Alabama coordinator of the National Council for Geographic Education, the National Geographic Association and

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the Alabama Academy of Science, in addition to being listed in the Dictionary of International Biography, American Men of Science, and Who's Who in the South and Southwest; and

WHEREAS Dr. Richardson used his vast knowledge of this State to co-author the section on Alabama printed in the World Book Encyclopedia and he had published in the Journal of the Alabama Academy of Science an article depicting the geographic setting of the Birmingham area; and

WHEREAS two junior colleges and several county boards of education have received the benefit of Dr. Richardson's knowledge in establishing geography and social studies programs; and

WHEREAS Dr. Richardson is retiring next month from the staff of Auburn University after 30 years of service to that institution and its students; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body most heartily commends Dr. Richardson on his many years of leadership to our state, and wishes him many happy years of blissful retirement.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Richardson and his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 144, on the Clerk's desk for one legislative day.

H. 1379 RE-REFERRED

On motion of Mr. Hill to re-refer, the Speaker re-referred the bill, H. 1379, from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

BILLS ON THIRD READING

And the bill:

H. 980. To further amend Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), as amended, which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bowers	Connell	Edwards
Adams	Brassell	Coshatt	Ellis
Adwell	Burgess	Cottingham	Erdreich
Bank	Callahan	Crawford	Falkenburg
Barkett	Carnes	Cross	Flippo
Barron	Carter	Culver	Gafford
Bassett	Casey	Dill	Goodwin
Benton	Cauthen	Doss	Grainger
Boles	Chesnut	Downing	Gray (F)
Boutwell	Collins	Drake	Grey (D)

Hale	McCluskey	Perloff	Stokes
Hardin	McCorquodale	Porter	Stubbs
Harris	McDonald	Pruitt	Taylor
Headley	McMillan	Reed (T)	Timmons
Hearn	Manley	Reid (R)	Turner
Hill	May	Reynolds	Turnham
Hobbie	Meeks	Roberts	Waggoner
Hughes	Merrill	Robertson	Waldrop
Jackson	Mims	St. John	Wallace
Jones (F)	Naramore	Smith (K)	Warren
King	Nettles	Smith (P)	Weeks
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stewart	Wynot
Lutz			

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And the bill:

H. 981. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lane	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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And the bill:

H. 1199. Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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And the bill:

H. 1200. Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Flippo	Kinsey
Adams	Chesnut	Gafford	Lang
Adwell	Collins	Goodwin	Lutz
Bank	Connell	Grainger	McCluskey
Barkett	Coshatt	Gray (F)	McCorquodale
Barron	Cottingham	Grey (D)	McDonald
Bassett	Crawford	Hale	McMillan
Benton	Cross	Hardin	Manley
Boles	Culver	Harris	May
Boutwell	Dill	Headley	Meeks
Bowers	Doss	Hearn	Merrill
Brassell	Downing	Hill	Mims
Burgess	Drake	Hobbie	Naramore
Callahan	Edwards	Hughes	Nettles
Carnes	Ellis	Jackson	O'Daniel
Carter	Erdreich	Jones (F)	Owens
Casey	Falkenburg	King	Perloff

Porter	St. John	Stubbs	Waldrop
Pruitt	Smith (K)	Taylor	Wallace
Reed (T)	Smith (P)	Timmons	Warren
Reid (R)	Snell	Turner	Weeks
Reynolds	Stewart	Turnham	Wise
Roberts	Stokes	Waggoner	Wynot
Robertson			

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And the bill:

H. 1201. To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flipppo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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And the bill:

H. 1240. To repeal Act No. 1177, H. 2219, Regular Session 1971 (Acts 1971, p. 2033), entitled "An Act Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to the most recent federal decennial census," and to provide that the Superintendent of Education in such counties shall henceforth be elected as was provided for by law before the enactment of said Act No. 1177.

Was taken up.

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H. 1240 POSTPONED

On motion of Mr. Barkett, the bill, H. 1240, was postponed to the nineteenth legislative day.

And the bill:

H. 1271. To allow branch banking under described conditions in Marshall County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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And the bill:

H. 73. (With Amendment): Relating to the method of giving notice of the requirement of attendance of jury service in the 15th Judicial Circuit of Alabama.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend Section 2 of House Bill No. 73 by striking in all places of this section where the phrase "first class mail" appears and inserting in lieu thereof the following phrase "certified mail".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Namamore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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And the bill, H. 73 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Namamore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
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And the bill:

H. 74. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to authorize the Board of Registrars to meet five days each week.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Barron, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 796.

BILLS ON THIRD READING RESUMED

And the bill:

H. 80. To regulate further the power and authority of cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Was taken up.

H. 80 POSTPONED

On motion of Mr. Jones (F), the bill, H. 80, was postponed to the twentieth legislative day.

And the bill:

H. 796. (With Amendments): To provide a form of municipal government to be known as the Mayor-Council form of government, which may

be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article I, subsection 1.06 by striking the words, "Such second election shall be conducted, the vote canvassed, the result declared and certificates transmitted as provided herein for the first election."

And the amendment #1 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Flipppo	Kinsey
Adams	Chesnut	Gafford	Lang
Adwell	Collins	Goodwin	Lutz
Bank	Connell	Grainger	McCluskey
Barkett	Coshatt	Gray (F)	McCorquodale
Barron	Cottingham	Grey (D)	McDonald
Bassett	Crawford	Hale	McMillan
Benton	Cross	Hardin	Manley
Boles	Culver	Harris	May
Boutwell	Dill	Headley	Meeks
Bowers	Doss	Hearn	Merrill
Brassell	Downing	Hill	Mims
Burgess	Drake	Hobbie	Naramore
Callahan	Edwards	Hughes	Nettles
Carnes	Ellis	Jackson	O'Daniel
Carter	Erdreich	Jones (F)	Owens
Casey	Falkenburg	King	Perloff

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Porter	St. John	Stubbs	Waldrop
Pruitt	Smith (K)	Taylor	Wallace
Reed (T)	Smith (P)	Timmons	Warren
Reid (R)	Snell	Turner	Weeks
Reynolds	Stewart	Turnham	Wise
Roberts	Stokes	Waggoner	Wynot
Robertson			

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The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article IV, Section 4.04 by deleting the entire said section, and inserting in lieu thereof the following section:

4.04. Compensation.—The mayor shall receive an annual salary of thirty thousand dollars (\$30,000.00) payable in monthly installments at the end of each month, said installments to be paid at the same rate for any portion of the month during which the mayor shall hold office at the rate thus provided.

And the amendment #2 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article I, Section 1.03, in the first sentence by deleting the words, "forty days and not more than sixty days", and inserting in lieu thereof the words, "ninety days and not more than one hundred and eighty."

And the amendment #3 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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The question was then on the adoption of the amendment #4 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article III, by striking subsection 3.15, and inserting in lieu thereof the following subsection 3.15:

"3.15. Meetings, passage of ordinances, etc.—The council shall hold regular public meetings on Tuesday of each and every week at a regular hour to be fixed by the order of said council from time to time and publicly announced; it may hold such adjourned, called, special or other meetings as the business of the city may require. The president of the council, when present, shall preside at all meetings of said council. A majority of the council members present shall constitute a quorum for the transaction of any and every power conferred upon said council, and the affirmative vote of a majority of those members present, shall be sufficient for the passage of any resolution, by-law or ordinance, or the transaction of any business of any sort by the said council or the exercise of any of the powers conferred upon it by the terms of this act or by law, or which may hereafter be conferred upon it. No resolution, by-law or ordinance granting any franchise, appropriating any money for any purpose, providing for any public improvements, any regulation concerning the public health, or of any other general or permanent nature, except the proclamation of quarantine, shall be enacted except at a regular public meeting of said council or an adjournment thereof. Every ordinance introduced at any and every such meeting shall be in writing and read before any vote thereon shall be taken, and the yeas and nays thereon shall be recorded; provided that if the vote of all councilmen present be unanimous, it may be so stated in the journal without recording the yeas and nays. A record of the

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proceedings of every meeting of the council shall be kept, and every resolution or ordinance passed by the council must be recorded and the record of the proceedings of the meeting shall, when approved by the council, be signed by the president of the council and the city clerk. Such record shall be kept available for inspection by all citizens of such city at all reasonable times. No ordinance of permanent operation shall be passed at the meeting at which it was introduced except by unanimous consent of all members of the council present, and such unanimous consent shall be shown by the yeas and nays votes entered upon the minutes of said meeting; provided, however, that if all members of the council present vote for the passage of the ordinance and their names are so entered of record as voting in favor thereof, it shall be construed as giving unanimous consent to the action upon such ordinance at the meeting at which it is introduced. Publication of ordinances shall be governed by Alabama Code of 1940, section 462, as amended, Title 37. Provided all ordinances or resolutions, after having been passed by the council, shall by the clerk be transmitted within forty-eight (48) hours after their passage to the mayor for his consideration, who if he shall approve thereof, shall sign and return the same to the clerk, who shall publish them, if publication thereof is required, and such ordinances and resolutions shall thereupon become effective and have the force of law. Delivery to the office of the mayor shall constitute delivery to the mayor. An ordinance or resolution may be recalled from the mayor at any time before it has become a law, or has been acted on by him, by a resolution adopted by a majority of the members elected to the council, in regular or special session. If the mayor shall disapprove of any ordinance or resolution transmitted to him as aforesaid, he shall, within ten (10) days of the time of its passage by the council, return the same to the clerk with his objections in writing, and the clerk shall make report thereof to the next regular meeting of the city council; and if a majority of the council members present shall at said meeting adhere to said ordinance or resolution, notwithstanding said objections, and vote being taken by yeas and nays and spread upon the minutes, then, and not otherwise, said ordinance or resolution shall after publication thereof, if publication is required, have the force of law. If publication of said ordinance or resolution is not required, it shall take effect upon its passage over objections. The failure of the mayor to return to the city clerk an ordinance or resolution with his veto within ten (10) days after its passage by the council shall operate and have the same effect as an approval of the same, and the city clerk, if publication is required, shall publish the same as is herein provided for the publication of laws and ordinances of said city. And if no publication is required, the ordinance or resolution shall become effective upon the expiration of said ten (10) days. Anything in this section to the contrary notwithstanding, the mayor shall not have the power of veto over appointments of the council, or over any action of the council relating to an investigation as provided for in section 9.03 of Article IX."

And the amendment #4 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Carter
Adams	Bassett	Brassell	Casey
Adwell	Benton	Burgess	Cauthen
Bank	Bolles	Callahan	Chesnut
Barkett	Boutwell	Carnes	Collins

Connell	Grey (D)	McMillan	St. John
Coshatt	Hale	Manley	Smith (K)
Cottingham	Hardin	May	Smith (P)
Crawford	Harris	Meeks	Snell
Cross	Headley	Merrill	Stewart
Culver	Hearn	Mims	Stokes
Dill	Hill	Naramore	Stubbs
Doss	Hobbie	Nettles	Taylor
Downing	Hughes	O'Daniel	Timmons
Drake	Jackson	Owens	Turner
Edwards	Jones (F)	Perloff	Turnham
Ellis	King	Porter	Waggoner
Erdreich	Kinsey	Pruitt	Waldrop
Falkenburg	Lang	Reed (T)	Wallace
Flippo	Lutz	Reid (R)	Warren
Gafford	McCluskey	Reynolds	Weeks
Goodwin	McCorquodale	Roberts	Wise
Grainger	McDonald	Robertson	Wynot
Gray (F)			

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The question was then on the adoption of the amendment #5 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article IX, section 9.06 in the first sentence by inserting between the words council and officer, the following words, "the Mayor."

And the amendment #5 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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The question was then on the adoption of the amendment #6 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

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Amend H. B. 796, Article V by striking subsection 5.16 in its entirety, and inserting in lieu thereof the following subsection 5.16:

"5.16. Emergency appropriations.—At any time in any budget year, the council may, pursuant to this section, make emergency appropriations to meet a pressing need for public expenditures, for other than a regular or recurring requirement, to protect the public health, safety or welfare. Such appropriation may be made by the council voting affirmative votes by a majority of the council members present, but only on the recommendation of the mayor. The total amount of all emergency appropriations made in any budget year shall not exceed five per centum of the total general fund operating appropriations made in the budget for that year."

And the amendment #6 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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The question was then on the adoption of the amendment #7 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article V by striking subsection 5.18 in its entirety, and inserting in lieu thereof the following subsection 5.18:

"5.18. Capital Budget.—At the same time that he submits the general fund budget, the mayor shall submit to the council a capital improvement program covering all recommended capital improvement projects, for the ensuing fiscal year and for the four fiscal years thereafter, with his recommendations as to the means of financing the improvements proposed for the ensuing fiscal year. The council shall have power to accept with or without amendments or reject the proposed program and proposed means of financing for the ensuing fiscal year; and may from time to time during the fiscal year amend by ordinance adopted by affirmative votes by a majority of mem-

bers present, the program previously adopted by it, or the means of financing the whole or any part thereof or both, provided that the amendment shall have been recommended by the mayor, and further, provided such additional funds are available in the general fund or in any other fund of the city available therefor. The council shall adopt a capital budget prior to the beginning of the fiscal year in which the budget is to take effect. No appropriations for a capital improvement project contained in the capital budget shall lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided that any project shall be deemed to have been abandoned if three fiscal years lapse without any expenditure from or encumbrance of the appropriation therefor. Any such lapsed appropriation shall be applied to the payment of any indebtedness incurred in financing the project concerned and if there be no such indebtedness the funds shall be available for appropriation."

And the amendment #7 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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The question was then on the adoption of the amendment #8 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article IX, subsection 9.02 by deleting the word "shall" wherever it may appear and insert in lieu thereof the word "may".

And the amendment #8 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

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Burgess	Falkenburg	Lutz	Roberts
Callahan	Flippo	McCluskey	Robertson
Carnes	Gafford	McCorquodale	St. John
Carter	Goodwin	McDonald	Smith (K)
Casey	Grainger	McMillan	Smith (P)
Cauthen	Gray (F)	Manley	Snell
Chesnut	Grey (D)	May	Stewart
Collins	Hale	Meeks	Stokes
Connell	Hardin	Merrill	Stubbs
Coshatt	Harris	Mims	Taylor
Cottingham	Headley	Naramore	Timmons
Crawford	Hearn	Nettles	Turner
Cross	Hill	O'Daniel	Turnham
Culver	Hobbie	Owens	Waggoner
Dill	Hughes	Perloff	Waldrop
Doss	Jackson	Porter	Wallace
Downing	Jones (F)	Pruitt	Warren
Drake	King	Reed (T)	Weeks
Edwards	Kinsey	Reid (R)	Wise
Ellis	Lang	Reynolds	Wynot
Erdreich			

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The question was then on the adoption of the amendment #9 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 796, Article I, Section 1.07, in the fourth sentence by deleting the words, "Each voter in the election may cast one vote for a candidate from his district, and may cast one vote for any three candidates for councilman at large" and insert in lieu thereof the words, "Each voter in the election may cast one vote for a candidate from his district, and may cast one vote each for three candidates for councilman at large."

And the amendment #9 was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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And the bill, H. 796 as thus amended, was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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And the bill:

H. 826. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hill
Adams	Casey	Ellis	Hobbie
Adwell	Cauthen	Erdreich	Hughes
Bank	Chesnut	Falkenburg	Jackson
Barkett	Collins	Flippo	Jones (F)
Barron	Connell	Gafford	King
Bassett	Coshatt	Goodwin	Kinsey
Benton	Cottingham	Grainger	Lang
Boles	Crawford	Gray (F)	Lutz
Boutwell	Cross	Gray (D)	McCluskey
Bowers	Culver	Hale	McCorquodale
Brassell	Dill	Hardin	McDonald
Burgess	Doss	Harris	McMillan
Callahan	Downing	Headley	Manley
Carnes	Drake	Hearn	May

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Meeks	Pruitt	Smith (P)	Turnham
Merrill	Reed (T)	Snell	Waggoner
Mims	Reid (R)	Stewart	Waldrop
Naramore	Reynolds	Stokes	Wallace
Nettles	Roberts	Stubbs	Warren
O'Daniel	Robertson	Taylor	Weeks
Owens	St. John	Timmons	Wise
Perloff	Smith (K)	Turner	Wynot
Porter			

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And the bill:

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Bank	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Flipppo	McMillan	Stokes
Brassell	Gafford	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Crawford			

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RESOLUTION

The following resolution was introduced:

By Mr. Grey (D):

H. J. R. 145. TO PAY TRAVEL PAY TO THE MEMBERS OF THE LEGISLATURE FOR THEIR TRAVEL DURING THE RECENT FOURTH OF JULY RECESS.

WHEREAS, many members of the Legislature were required to travel extensively throughout their districts to see their constituents and gather their views on proposed legislation and the needs of the various counties of this State; and

WHEREAS, this has proven a fiscal burden and hardship on many of the members of the Legislature for which there is no compensation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all members of the Legislature are hereby authorized and empowered to turn in vouchers to secure travel pay for all the travel they performed during the recent Fourth of July recess of the Alabama Legislature.

BE IT FURTHER RESOLVED That all such travel pay shall be paid out of funds appropriated for the use of the Legislature.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Grey (D) to suspend the rules in order to bring up for consideration the resolution, H. J. R. 145, was lost.

And the resolution, H. J. R. 145, was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS

The House proceeded with the consideration of the unfinished business.

And the bill:

H. 730. To repeal Title 14, Sections 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor.

Was taken up.

Mr. Robertson offered the following substitute to the bill, H. 730 as amended, on the seventeenth legislative day:

To repeal Title 14, Section 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor.

Be It Enacted by the Legislature of Alabama.

Section 1. Sections 420, as amended, 421, as amended, and 422, Title 14, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the penalty therefor, are hereby repealed.

Section 2. Provided, however, that any employer in retail or wholesale selling to the public shall not require an employee to work on Sunday if it is against or conflicts with employee's religious beliefs or activities.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Hill offered the following substitute to the substitute offered by Mr. Robertson to the bill, H. 730 as amended:

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To repeal Title 14, Section 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor.

Be It Enacted by the Legislature of Alabama.

Section 1. Sections 420, as amended, 421, as amended, and 422, Title 14, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the penalty therefor, are hereby repealed.

Section 2. Provided, however, that any employer shall not require an employee to work on Sunday if it is against or conflicts with employee's religious beliefs or activities.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Cauthen, the substitute offered by Mr. Hill was tabled.

Yeas 46; Nays 18.

Yeas:

Mr. Speaker	Cross	Hearn	Pruitt
Adwell	Dill	Hobbie	Reid (R)
Barkett	Doss	Jackson	Reynolds
Benton	Downing	King	Roberts
Boles	Erdreich	Lutz	St. John
Bowers	Falkenburg	McNair	Snell
Brassell	Goodwin	Naramore	Stokes
Callahan	Grainger	Nettles	Taylor
Cauthen	Gray (F)	Owens	Timmons
Connell	Hale	Perloff	Waggoner
Coshatt	Harris	Porter	Wise
Crawford	Headley		

—46

Nays:

Messrs.:	Culver	Hughes	Stubbs
Barron	Drake	McBride	Turner
Boutwell	Ellis	McMillan	Waldrop
Carnes	Grey (D)	Meeks	Wallace
Cottingham	Hill	Robertson	

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The question was then on the substitute offered by Mr. Robertson to the bill, H. 730 as amended.

SUBSTITUTE TABLED

On motion of Mr. Cauthen, the substitute offered by Mr. Robertson to the bill, H. 730 as amended, was tabled.

Yeas 49; Nays 20.

Yeas:

Mr. Speaker	Callahan	Crawford	Doss
Adwell	Carter	Cross	Downing
Barkett	Cauthen	Crowe	Erdreich
Benton	Coshatt	Dill	Falkenburg

Goodwin	Jackson	Nettles	St. John
Grainger	King	Owens	Snell
Gray (F)	Lutz	Perloff	Stokes
Hale	McCluskey	Porter	Taylor
Hardin	McDonald	Pruitt	Timmons
Harris	McNair	Reid (R)	Waggoner
Headley	May	Reynolds	Williams
Hearn	Naramore	Roberts	Wise
Hobbie			

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Nays:

Messrs.:	Carnes	McBride	Stubbs
Adams	Culver	McMillan	Turner
Barron	Grey (D)	Meeks	Waldrop
Boles	Hill	Robertson	Wallace
Boutwell	Hughes	Smith (K)	Wynot
Brassell			

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REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 131. COMMENDING THE MEETING FOR THE MULTI-STATE, MULTI-MODE TRANSPORTATION CORRIDOR, AND THANKING MAYOR GEORGE SEIBELS, ELTON B. STEPHENS, AND BILL RICKER FOR THEIR WORK TOWARD THIS ENDEAVOR.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 433. To amend Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.), Entitled: "AN ACT Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to pro-

vide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county", so as to delete from Section 1 and Section 10(c) references therein to the county of Mobile; to provide for the term during which the members of said Racing Commission shall hold office; to change the method of appointing the members of said Racing Commission; to authorize the employment of said Racing Commission of special legal counsel in addition to representation by the office of the County Attorney; to prohibit members of said Racing Commission from making political contributions; to add a new provision to provide for the severability of the parts, sections and provisions of said Act; and to amend the title of said Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 730 RESUMED

Mr. Manley offered the following substitute to the bill, H. 730 as amended:

A BILL TO BE ENTITLED AN ACT

To amend Title 14, Section 420, as amended, to further clarify those acts prohibited on Sunday and prescribing additional and stronger penalties for the violation of said act.

Be It Enacted by the Legislature of Alabama:

Section 1. Amend Title 14, Section 420, as amended, to read as follows:

"Section 420. Certain acts prohibited on Sunday; punishment.—Any person who compels his child, apprentice, or servant to perform any labor on Sunday, except the customary domestic duties of daily necessity or comfort, or works of charity or who engages in shooting, hunting, gaming, card playing, or racing on that day, or who, being a merchant or shopkeeper, neighborhood grocery store and convenience store not exceeding 1,000 square feet of floor space and druggist or drug store dealing strictly in the sale of patent or prescription medicines and not exceeding 1,000 square feet of floor space are excepted, keeps open store on Sunday, shall be fined not less than one hundred nor more than one thousand dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than twelve months. However, the provisions of this section shall not apply to the

operation of railroads, stages, communications, public utilities or steamboats, or other vessels navigating the waters of this state, or to any manufacturing establishment which is required to be kept in constant operation, or to the sale of gasoline or other motor fuels or motor oils. Nor shall this section prohibit the sale of newspapers, or the operation of newsstands, or automobile repair shops, florist shops, fruit stands, ice cream shops or parlors, lunch stands or restaurants, delicatessen or plants engaged in the manufacture or sale of ice, provided such business establishments are not operated in conjunction with some other kind or type of business which is prohibited by this section. It shall also be lawful to engage in motorcycle and automobile racing on Sunday, whether admission is charged or not, except that this proviso shall not be construed to prevent any municipality from passing ordinances prohibiting such racing on Sunday."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Cauthen, the substitute offered by Mr. Manley to the bill, H. 730 as amended, was tabled.

Yeas 48; Nays 19.

Yeas:

Mr. Speaker	Dill	Jackson	Porter
Adwell	Downing	King	Reid (R)
Bank	Erdreich	Lutz	Reynolds
Barkett	Falkenburg	McBride	Roberts
Benton	Flippo	McCluskey	Snell
Callahan	Goodwin	McMillan	Stokes
Carter	Grainger	McNair	Taylor
Cauthen	Gray (F)	May	Timmons
Coshatt	Gray (D)	Naramore	Turner
Crawford	Hale	Nettles	Waggoner
Cross	Headley	Owens	Williams
Culver	Hill	Perloff	Wise

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Nays:

Messrs.:	Brassell	McDonald	Smith (K)
Adams	Carnes	Manley	Stubbs
Barron	Edwards	Pruitt	Turnham
Boles	Ellis	Robertson	Waldrop
Boutwell	Hughes	St. John	Wallace

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And the bill:

H. 730. To repeal Title 14, Sections 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor, and to provide that the governing body of any county or incorporated municipality in this State may adopt reasonable rules and regulations relative to these prohibited acts.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 49; Nays 33.

Yeas:

Messrs.:	Crowe	Hill	Porter
Adams	Dill	Hobbie	Pruitt
Adwell	Downing	Jackson	Reid (R)
Bank	Edwards	King	Reynolds
Barkett	Erdreich	Lutz	Roberts
Benton	Falkenburg	McBride	Snell
Brassell	Flippo	McMillan	Stokes
Callahan	Goodwin	McNair	Taylor
Carter	Grainger	Naramore	Timmons
Cauthen	Gray (F)	Nettles	Waggoner
Coshatt	Grey (D)	Owens	Williams
Crawford	Hale	Perloff	Wise
Cross	Headley		

—49

Nays:

Messrs.:	Doss	Mathews	Stewart
Barron	Drake	Meeks	Stubbs
Boles	Ellis	Merrill	Turner
Boutwell	Harris	Mims	Turnham
Burgess	Hughes	Robertson	Waldrop
Carnes	Kinsey	St. John	Wallace
Casey	McCluskey	Smith (K)	Warren
Connell	McDonald	Smith (P)	Wynot
Cottingham	Manley		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 125. COMMENDING DEAN EDWIN VIRGINIUS SMITH OF AUBURN UNIVERSITY UPON HIS RETIREMENT.

Also:

H. J. R. 126. COMMENDING CHESTER MILTON AREHART UPON HIS RETIREMENT AS REGISTRAR FOR FLORENCE STATE UNIVERSITY.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 110. Relating to crimes and offenses; amending further Section 420, Title 14, Code of Alabama 1940, which prohibits certain acts on Sunday.

Was taken up.

H. 110 INDEFINITELY POSTPONED

On motion of Mr. Gafford, the bill, H. 110, was indefinitely postponed.

And the bill:

H. 204. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

H. 204 POSTPONED

On motion of Mr. Owens, the bill, H. 204, was postponed to the twenty-second legislative day.

And the bill:

H. 191. To amend Section 1 of Act No. 253, H. 41, Special Session 1966 (Acts 1966, p. 377), which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster; so as to exempt certain other persons.

Was taken up.

Mr. Ellis offered the following substitute to the bill:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 253, H. 41, Special Session 1966 (Acts 1966, p. 377), which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster; so as to exempt certain other persons.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 253, H. 41, Special Session 1966 (Acts 1966, p. 377), which exempts from civil liability certain persons rendering emergency care, is hereby amended to read as follows:

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"Section 1. When any doctor, nurse, member of any organized rescue squad, member of any police or fire department, Alabama licensed emergency medical technicians, medical students, interns and residents, all of whom shall have successfully completed training programs approved by the American Medical Association in first aid or life saving techniques, Alabama state troopers, medical "aidmen" functioning as a part of the Military Assistance to Safety and Traffic Program who gratuitously and in good faith renders first aid or emergency care at the scene of an accident, casualty, or disaster, to a person injured therein shall not be liable for any civil damages as a result of his acts or omissions in rendering such first aid or emergency care, nor shall he be liable for any civil damages as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person. It is further provided that any member of the crew of a helicopter which is used in the performance of Military Assistance to Safety and Traffic Programs and is engaged in the performance of emergency medical service acts shall be exempt from personal liability for any property damages caused by helicopter downwash."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Roberts
Adams	Crowe	Kinsey	Robertson
Bank	Culver	Lutz	St. John
Barron	Dill	McCluskey	Smith (K)
Benton	Doss	McDonald	Snell
Boles	Downing	McNair	Stewart
Boutwell	Edwards	Manley	Stokes
Brassell	Ellis	May	Stubbs
Burgess	Falkenburg	Meeks	Taylor
Carnes	Gafford	Merrill	Timmons
Carter	Goodwin	Naramore	Turner
Casey	Grainger	Nettles	Waggoner
Cauthen	Grey (D)	Owens	Waldrop
Collins	Hale	Porter	Wallace
Connell	Headley	Pruitt	Warren
Coshatt	Hill	Reed (T)	Weeks
Cottingham	Hughes	Reid (R)	Wise
Crawford	Jackson	Reynolds	Wynot

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And the bill, H. 191 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 2.

Yeas:

Mr. Speaker	Brassell	Collins	Crowe
Adams	Burgess	Connell	Culver
Bank	Carnes	Coshatt	Dill
Barron	Carter	Cottingham	Doss
Boles	Casey	Crawford	Edwards
Boutwell	Cauthen	Cross	Ellis

Gafford	King	Nettles	Snell
Goodwin	Kinsey	Owens	Stewart
Grainger	Lutz	Porter	Stubbs
Gray (F)	McCluskey	Pruitt	Taylor
Grey (D)	McDonald	Reed (T)	Timmons
Hale	McNair	Reid (R)	Turner
Harris	Manley	Reynolds	Waldrop
Headley	May	Roberts	Wallace
Hill	Meeks	Robertson	Warren
Hughes	Merrill	St. John	Weeks
Jackson	Mims	Smith (K)	Wise
Jones (F)	Naramore	Smith (P)	Wynot

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Nays: Messrs. Downing and Stokes.

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And the bill:

H. 602. To amend Section 9 of Act No. 2052 of the 1971 Legislature of Alabama so as to limit the liability of buyers of used goods valued at \$3000 or less.

Was taken up.

H. 602 POSTPONED

On motion of Mr. Perloff, the bill, H. 602, was postponed to the nineteenth legislative day.

And the bill:

H. 521. (With Substitute): Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. No person or organization shall operate a cafe, cafeteria, restaurant, private club, snack bar, sandwich shop, bakery, meat market, dairy and milk plant or other public dining facility or place where food for human consumption is prepared, served or distributed unless such person or organization complies with the provisions of this act. No such person or organization shall employ or permit any person, including a proprietor or mana-

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gerial employee, to handle food, food containers or implements used in the preparation, serving or dispensing of food in any such establishment unless such employee shall have in his possession at the time of his employment a health card signed by a public health officer or licensed physician of this state showing that he is free from tuberculosis and other contagious and infectious diseases. Such card, which shall remain in the possession of the person to whom issued, shall be dated prior to the date he commences to operate or to work in any such food handling establishment. Each such operator or employee shall thereafter have a chest X-ray or tubercular screen test made at the county board of health or by a licensed physician at least once during each twelve month period while he continues to operate or to be employed in such business. If such person is found to be free of tuberculosis, the county health officer or physician shall issue to him a signed and dated certificate showing that he is free from tuberculosis. Any employee found to have tuberculosis or failing or refusing to take the tests required shall be immediately dismissed by his employer, and any self-employed person operating such a food handling business who is found to have tuberculosis shall immediately cease all physical or personal operation of such business.

Section 2. Any employer or any such self-employed person herein referred to who violates the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined one hundred dollars (\$100) for the first offense and five hundred dollars (\$500) for any subsequent offense.

Section 3. It shall be the duty of the county health officer in each county to administer this act, and authorized personnel of the several county boards of health shall have access to all buildings and facilities where such food handling businesses are conducted and they shall make such inquiries and inspections as may be necessary to carry out the provisions of this act.

Section 4. The provisions of this act are supplemental to all other public health laws of this state, but all laws and parts of laws in direct conflict herewith are hereby repealed.

Section 5. This act shall become effective on the first day of the second month next following the date of its enactment.

And the substitute was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Culver	Headley	Meeks
Adams	Dill	Hill	Mims
Bank	Doss	Hughes	Naramore
Barron	Downing	Jackson	Nettles
Boles	Drake	Jones (F)	O'Daniel
Boutwell	Edwards	King	Owens
Burgess	Ellis	Kinsey	Porter
Carnes	Falkenburg	Lutz	Pruitt
Carter	Gafford	McCluskey	Reed (T)
Connell	Goodwin	McDonald	Reid (R)
Coshatt	Grainger	McNair	Reynolds
Cottingham	Hardin	Manley	Roberts
Cross	Harris	May	Robertson

St. John	Stubbs	Waldrop	Williams
Snell	Timmons	Wallace	Wise
Stewart	Turner	Warren	Wynot
Stokes	Waggoner	Weeks	

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And the bill, H. 521 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Reynolds
Adams	Dill	Lang	Roberts
Adwell	Downing	Lutz	Robertson
Bank	Drake	McBride	St. John
Barkett	Edwards	McCluskey	Smith (K)
Barron	Ellis	McDonald	Smith (P)
Bassett	Falkenburg	McMillan	Snell
Boles	Flippo	McNair	Stewart
Boutwell	Gafford	Manley	Stokes
Brassell	Goodwin	May	Stubbs
Burgess	Grainger	Meeks	Taylor
Callahan	Gray (F)	Merrill	Timmons
Carnes	Hardin	Mims	Turner
Carter	Harris	Naramore	Waggoner
Casey	Headley	Nettles	Waldrop
Cauthen	Hearn	O'Daniel	Wallace
Connell	Hill	Owens	Warren
Coshatt	Hughes	Porter	Weeks
Cottingham	Jackson	Pruitt	Williams
Crawford	Jones (F)	Reed (T)	Wise
Cross	King	Reid (R)	

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Bank to suspend the rules in order to bring up out of order the bill, H. 114, was lost lacking a four-fifths vote.

Yeas 61; Nays 20.

Yeas:

Messrs.:	Cottingham	McCorquodale	St. John
Adams	Crawford	McDonald	Smith (K)
Adwell	Cross	McMillan	Snell
Bank	Crowe	Mathews	Stokes
Barkett	Culver	May	Stubbs
Barron	Downing	Mims	Taylor
Bassett	Drake	Nettles	Turner
Boutwell	Edwards	O'Daniel	Turnham
Brassell	Goodwin	Owens	Waggoner
Burgess	Gray (F)	Porter	Waldrop
Callahan	Hardin	Pruitt	Warren
Carnes	Harris	Reed (T)	Weeks
Carter	Headley	Reynolds	Williams
Casey	Jackson	Roberts	Wise
Connell	Kinsey	Robertson	Wynot
Coshatt	McBride		

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Nays:

Messrs.:	Grainger	Lang	Merrill
Bowers	Hale	Lutz	Naramore
Ellis	Hill	McCluskey	Perloff
Erdreich	Hughes	McNair	Smith (P)
Falkenburg	King	Meeks	Stewart
Gafford			

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UNANIMOUS CONSENT GRANTED

At the request of Mr. McNair, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 730.

BILLS ON THIRD READING RESUMED

And the bill:

H. 674. Further amending Code of Alabama 1940, Title 22, Section 93, relating to Vital Statistics, providing for accurate reporting data for divorces in order for Alabama to remain a registration district in the United States.

Was taken up.

H. 674 TEMPORARILY POSTPONED

On motion of Mr. Cauthen, the bill, H. 674, was temporarily postponed.

And the bill:

H. 129. (With Amendment): To provide a formula for the allocation of the legislatively appropriated state funds for Community Mental Health Programs disbursed by the Alabama Mental Health Board.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Health, said Committee amendment being as follows:

Amend Section 1, paragraph (a) to read—"Median Income" shall mean the amount which divides the distribution of personal income into two equal groups, one having income above the median and the other having income below the median according to the latest dicennial census.

Amend Section 1, paragraph (e) to read—"Local Matching Funds" shall mean any non-federal or non-state funds from any source. Local federal revenue sharing funds may be used as local matching funds for the purpose of this Act.

Amend Section 1, (h), delete the words "last federal census" and insert "latest dicennial census."

Amend Section 2, paragraph (d), last sentence to read—"Except as provided in Section 3, paragraph (a) and provided that the state funds shall not exceed the gross allocation to that area."

Delete Section 3 in its entirety and insert the following:

Section 3, Allocation of Excess Funds—

(a) If an area does not use its full allocated amount, and if other areas possess excess local matching funds, then these other areas may be granted these funds, at the discretion of the State Mental Health Officer; provided, however, that the matching formula as stated in Section 2 (d), above, applies to all such funds granted.

(b) If there remain excess funds, after following the provisions of Sections 2 and 3 (a), above, then the State Mental Health Officer may allocate these unused funds to Mental Health programs other than community programs, at his own discretion.

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reid (R)
Adwell	Culver	Lang	Reynolds
Bank	Doss	Lutz	Roberts
Barkett	Downing	McCluskey	Robertson
Barron	Edwards	McDonald	Smith (K)
Bassett	Ellis	McMillan	Smith (P)
Benton	Gafford	Manley	Snell
Boutwell	Goodwin	May	Stewart
Bowers	Grainger	Meeks	Stokes
Burgess	Gray (F)	Merrill	Stubbs
Callahan	Grey (D)	Naramore	Timmons
Carnes	Hale	Nettles	Turner
Carter	Hardin	O'Daniel	Turnham
Casey	Harris	Owens	Waldrop
Collins	Headley	Perloff	Wallace
Connell	Jackson	Porter	Weeks
Cottingham	Jones (F)	Pruitt	Williams
Crawford	King	Reed (T)	Wynot

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And the bill, H. 129 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Reid (R)
Adwell	Dill	Lang	Reynolds
Bank	Downing	Lutz	Roberts
Barkett	Edwards	McCluskey	Smith (K)
Barron	Ellis	McMillan	Smith (P)
Bassett	Erdreich	McNair	Snell
Benton	Falkenburg	May	Stewart
Boutwell	Gafford	Meeks	Stokes
Bowers	Goodwin	Merrill	Timmons
Burgess	Grainger	Mims	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Owens	Wallace
Connell	Harris	Perloff	Warren
Coshatt	Hill	Porter	Weeks
Crawford	Hughes	Pruitt	Williams
Cross	Jackson	Reed (T)	Wynot
Crowe	King		

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And the bill:

H. 677. Further amending Code of Alabama 1940 Title 22, Sections 23, 24, 25, 26, 27, 28, 29, 30, 31 and adding Section 31 (1), relating to Vital Statistics; providing for registration of death by the funeral director and filing a certificate of death by the attending physician or coroner in certain cases.

Was taken up.

H. 677 POSTPONED

On motion of Mr. Manley, the bill, H. 677, was postponed to the nineteenth legislative day.

RESOLUTION

The following resolution was introduced:

By Messrs. Hearn and Grainger:

H. J. R. 146. COMMENDING MR. CLARENCE M. KELLEY UPON HIS RECENT APPOINTMENT AS DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

WHEREAS, Clarence M. Kelley has been appointed as Director of the Federal Bureau of Investigation, succeeding the late J. Edgar Hoover; and

WHEREAS, Mr. Kelley's distinguished services included three years in the State of Alabama (1957 - 1960) as special Agent in Charge of the FBI Office in Birmingham, where he gained the respect and admiration of many Alabamians for his outstanding personal and professional traits; and

WHEREAS, Mr. Kelley has served from 1961 until his recent appointment as Chief of Police in Kansas City, Missouri, in a manner which attracted nation-wide attention—restoring morale of the Department, establishing firm discipline and eliminating corruption; and

WHEREAS, Mr. Kelley's 21 years of service with the FBI and 12 years of service as Kansas City Police Chief and his personal characteristics of the highest calibre, were recognized by the United States Senate when his nomination was rapidly confirmed.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Clarence M. Kelley is hereby commended on his appointment as Director of the Federal Bureau of Investigation and we share with the United States Senate full confidence that he will restore to the FBI the highest public confidence, in the tradition of the late J. Edgar Hoover.

BE IT FURTHER RESOLVED That a copy be sent to Mr. Kelley.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 146, on the Clerk's desk for one legislative day.

BILLS ON THIRD READING RESUMED

And the bill, H. 674, having been temporarily postponed, was again taken up.

Mr. Cauthen offered the following amendment to the bill:

Amend H. B. 674 by deleting Section 1 in its entirety and inserting in lieu thereof the following:

"Section 1. Code of Alabama 1940, Title 22, Section 93, be amended to read as follows:

"Section 93. Record of divorces furnished board by registers and clerks. Within the first five days of each calendar month the clerk, register, or clerk and register of each court having equity jurisdiction in this state, shall forward to the state board of health at Montgomery, on certificates to be supplied by said board, a complete report of all divorces that have been granted in the county or district for the preceding month. The register or clerk, or register and clerk, of each said court shall be entitled to a fee of seventy-five cents for each divorce reported, said fee to be paid by the person applying for the divorce. The moving party or party first named, or his representative, shall submit in writing to said register as to the parties to said petition the following information: Name, address, county of residence, date of birth, race, date and place of marriage, number of children of said marriage, occupation and other reasonable statistical information related to said marriage and file this information with the clerk or register of the Court at the time the petition is filed; provided, however, failure of either party to so submit such information as above set forth shall in no way effect the proceedings on said petition nor shall some, or any part thereof, be used as evidence in any proceeding in this state."

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Reid (R)
Adams	Crowe	King	Reynolds
Bank	Culver	Kinsey	Roberts
Barkett	Dill	Lutz	Smith (K)
Barron	Doss	McBride	Smith (P)
Bassett	Downing	McCluskey	Snell
Benton	Edwards	McDonald	Stewart
Boles	Ellis	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Gafford	May	Taylor
Brassell	Goodwin	Meeks	Timmons
Burgess	Grainger	Mims	Turner
Callahan	Hardin	Naramore	Turnham
Carnes	Harris	Nettles	Waggoner
Carter	Headley	O'Daniel	Waldrop
Cauthen	Hearn	Owens	Wallace
Connell	Hill	Porter	Warren
Cottingham	Hughes	Pruitt	Williams
Crawford	Jackson	Reed (T)	Wynot

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Mr. Stewart offered the following amendment to the bill, H. 674 as amended:

Amend House Bill 674 as amended by deleting in Section 1 thereof the phrase "seventy-five" and inserting "twenty-five".

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And the amendment was adopted.

Yeas 62; Nays 2.

Yeas:

Messrs.:	Crawford	Hearn	Porter
Adams	Cross	Hughes	Reed (T)
Bank	Crowe	Jackson	Reid (R)
Barkett	Culver	Jones (F)	Roberts
Barron	Dill	King	Smith (K)
Benton	Downing	Kinsey	Snell
Boutwell	Edwards	Lang	Stewart
Brassell	Ellis	McBride	Stokes
Burgess	Falkenburg	McDonald	Taylor
Callahan	Goodwin	McMillan	Timmons
Carnes	Grainger	McNair	Turner
Casey	Gray (F)	May	Turnham
Cauthen	Grey (D)	Meeks	Waldrop
Connell	Hale	Merrill	Williams
Coshatt	Hardin	Naramore	Wynot
Cottingham	Harris	Nettles	—62

Nays: Messrs. Lutz and McCluskey. —2

And the bill, H. 674, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Cross	Jones (F)	Porter
Adams	Crowe	King	Pruitt
Bank	Culver	Kinsey	Reed (T)
Barkett	Dill	Lang	Reid (R)
Barron	Downing	Lutz	Reynolds
Bassett	Edwards	McBride	Roberts
Benton	Ellis	McCluskey	St. John
Boutwell	Falkenburg	McCorquodale	Smith (K)
Bowers	Flippo	McDonald	Smith (P)
Brassell	Gafford	McMillan	Snell
Burgess	Goodwin	McNair	Stokes
Callahan	Grainger	Manley	Taylor
Carnes	Gray (F)	May	Timmons
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Mims	Turnham
Cauthen	Hardin	Naramore	Waldrop
Connell	Harris	Nettles	Warren
Coshatt	Hill	O'Daniel	Williams
Cottingham	Hughes	Owens	Wynot
Crawford	Jackson	Perloff	—78

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 425. To create the position of deputy coroner in all counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census.

Also:

H. 465. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Also:

H. 466. Relating to St. Clair County; to provide further for the compensation of jurors.

Also:

H. 467. Legalizing the sale of draft or keg beer or malt beverages in St. Clair County.

Also:

H. 468. Relating to St. Clair County; to require all county and municipal governing bodies, boards, agencies and institutions receiving any public tax revenues to publish certain annual financial data; providing penalties for failure to comply with the provisions of this Act.

Also:

H. 469. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Odenville and at Steele in said County.

Also:

H. 471. To amend the title, Sections 2 and 3 of Act No. 1793, H. 1968, 1971 Regular Session (1971 Acts, p. 2961), entitled "An Act Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act."

Also:

H. 542. To amend Section 2 of Act No. 151, H. 421, approved June 30, 1953, relating to a secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama.

Also:

H. 548. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census, so as to regulate the compensation of members of the jury commission in such counties.

Also:

H. 550. To alter, rearrange, and extend the corporate limits of the Town of Rosa, Alabama, in Blount County, so as to include within the corporate limits thereof certain additional territory in Sections 23, 14, and 15, Township 12, South, Range 1 East.

Also:

H. 551. Relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiner of public accounts annually.

Also:

H. 558. Relating to Calhoun County; to provide for the salary of certain officials of said county.

Also:

H. 564. Relating to all counties having a population of not more than 10,660; providing a travel allowance for members of the county governing body.

Also:

H. 581. To amend Section 13 of Act No. 670, H. 1234, 1971 Regular Session (Acts of 1971, p. 1389), entitled, "An Act To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws."

Also:

H. 598. Pertaining to Madison County; to authorize the governing body of said county to appropriate funds for the use and benefit of Fellowship Center, Inc., a non-profit corporation, formerly known as Senior Citizens Activities Center Huntsville-Madison County, Alabama, a non-profit corporation.

McDOWELL LEE,
Secretary.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Hill moved to reconsider the vote by which the motion to suspend the rules in order to bring up out of order the bill, H. 114, was lost, and the motion was adopted.

Yeas 64; Nays 15.

Yeas:

Mr. Speaker	Casey	Goodwin	McDonald
Adams	Collins	Gray (F)	McMillan
Agee	Connell	Grey (D)	McNair
Bank	Coshatt	Hale	May
Barkett	Crawford	Harris	Mims
Barron	Cross	Headley	Naramore
Bassett	Crowe	Hobbie	Nettles
Boutwell	Culver	Jackson	O'Daniel
Brassell	Downing	Jones (F)	Owens
Callahan	Drake	Kinsey	Porter
Carnes	Edwards	McBride	Pruitt
Carter	Falkenburg	McCorquodale	Reed (T)

Reid (R)	Smith (K)	Taylor	Waldrop
Reynolds	Snell	Turner	Warren
Roberts	Stokes	Turnham	Williams
Robertson	Stubbs	Waggoner	Wynot

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Nays:

Messrs.:	Grainger	Lang	Meeks
Bowers	Hearn	Lutz	Merrill
Cottingham	Hughes	McCluskey	Smith (P)
Ellis	King	Manley	Wallace

—15

And the bill:

H. 114. To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to each member of the armed services from this State who was a prisoner of war in Vietnam; to provide for the administration of this Act by the State Department of Veterans Affairs.

Was taken up.

Mr. Burgess offered the following amendment to the bill:

Amend H. 114 by adding prisoners of all wars and so called action (Korean war) in which U. S. was involved.

AMENDMENT TABLED

On motion of Mr. Bank, the amendment was tabled.

Yeas 51; Nays 21.

Yeas:

Messrs.:	Coshatt	Hobbie	Reid (R)
Adams	Crawford	Hughes	Reynolds
Agee	Cross	King	Roberts
Bank	Crowe	Kinsey	St. John
Barkett	Culver	Lutz	Smith (K)
Barron	Downing	McBride	Stokes
Bassett	Ellis	McDonald	Taylor
Boles	Goodwin	McNair	Turner
Callahan	Grainger	May	Turnham
Carnes	Gray (F)	Nettles	Waggoner
Carter	Hale	O'Daniel	Warren
Cauthen	Hardin	Porter	Williams
Connell	Headley	Pruitt	Wynot

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Nays:

Messrs.:	Drake	Manley	Smith (P)
Boutwell	Grey (D)	Meeks	Stewart
Bowers	Hearn	Merrill	Stubbs
Burgess	Lang	Naramore	Timmons
Cottingham	McCluskey	Robertson	Wallace
Dill	McMillan		

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UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 114, to have their names added as co-sponsors.

And the bill, H. 114, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 4.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reid (R)
Adams	Crawford	Jones (F)	Reynolds
Adwell	Cross	King	Roberts
Agee	Crowe	Kinsey	Robertson
Bank	Culver	Lang	St. John
Barkett	Doss	Lutz	Smith (K)
Barron	Downing	McBride	Snell
Bassett	Drake	McCorquodale	Stewart
Benton	Edwards	McDonald	Stokes
Boles	Ellis	McMillan	Stubbs
Boutwell	Falkenburg	Mathews	Taylor
Bowers	Goodwin	May	Timmons
Brassell	Grainger	Merrill	Turner
Burgess	Gray (F)	Mims	Turnham
Callahan	Hale	Naramore	Waggoner
Carnes	Hardin	Nettles	Waldrop
Carter	Harris	O'Daniel	Wallace
Casey	Headley	Owens	Warren
Collins	Hill	Porter	Williams
Connell	Hobbie	Pruitt	Wise
Coshatt	Hughes	Reed (T)	Wynot

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Nays:

Messrs.:	Hearn	McNair	Manley
Dill			

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MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until 2:00 o'clock p.m., Tuesday, July 17, 1973, was lost.

Yeas 23; Nays 66.

Yeas:

Mr. Speaker	Brassell	Lang	Owens
Adams	Casey	McDonald	Pruitt
Agee	Collins	Manley	Smith (K)
Barkett	Dill	Mathews	Snell
Benton	Drake	Merrill	Weeks
Boles	Hughes	O'Daniel	

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Nays:

Messrs.:	Boutwell	Cauthen	Cross
Adwell	Burgess	Connell	Crowe
Bank	Callahan	Coshatt	Culver
Barron	Carnes	Cottingham	Downing
Bassett	Carter	Crawford	Edwards

Ellis	Hobbie	Meeks	Stewart
Erdreich	Jackson	Mims	Stokes
Falkenburg	Jones (F)	Naramore	Stubbs
Goodwin	King	Nettles	Taylor
Grainger	Kinsey	Porter	Timmons
Grey (D)	Lutz	Reed (T)	Turner
Hale	McBride	Reid (R)	Waggoner
Hardin	McCluskey	Reynolds	Waldrop
Harris	McCorquodale	Roberts	Wallace
Headley	McMillan	Robertson	Warren
Hearn	McNair	St. John	Wynot
Hill	May	Smith (P)	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 599. Relating to Madison County, to authorize the governing body of said county to pay certain expenses incurred by the Probate Judge, Tax Assessor and Tax Collector of said county in connection with their duties.

Also:

H. 629. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Also:

H. 652. Relating to counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census, so as to authorize the county commission of such counties to pay from the general funds of the county the salary or salaries of any additional clerks hired for the various elected officials of such counties.

Also:

H. 664. To provide for a secretarial assistant to the circuit judge of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent decennial census.

Also:

H. 698. Relating to counties having a population of not less than 22,000 nor more than 22,500 residents according to the most recent federal decennial census, to confer discretionary authority upon the governing body of such counties to appropriate from the general fund of the county sums of money, not to exceed five hundred dollars, and not to exceed one thousand dollars for any one year, for the payment of certain equitable and moral claims against such counties.

Also:

H. 123. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Taylor, Houston County, Alabama.

Also:

H. 170. To amend Sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259).

Also:

H. 171. To further amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564).

Also:

H. 172. To further amend Sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260).

Also:

H. 415. To provide for branch banks or branch offices of banks in Henry County.

Also:

H. 563. Relating to Coffee County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Coffee County.

Also:

H. 552. Relating to Blount County: Directing and requiring the county governing body to provide for holding a referendum election relative to the continuance of the levy in such county of the special county ad valorem tax for public hospital purposes; and providing for and regulating the discontinu-

ance of such levy if the vote at such election is against the continuance thereof.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Stokes to suspend the rules in order to bring up out of order the bill, H. 370, was adopted.

Yeas 65; Nays 13.

Yeas:

Mr. Speaker	Cottingham	Hearn	Robertson
Adams	Crawford	Hobbie	St. John
Adwell	Cross	Jackson	Smith (K)
Bank	Crowe	Lang	Stokes
Barkett	Dill	McMillan	Stubbs
Barron	Doss	Manley	Taylor
Bassett	Downing	May	Turner
Benton	Drake	Meeks	Turnham
Boles	Edwards	Mims	Waggoner
Boutwell	Ellis	Naramore	Waldrop
Bowers	Grainger	Nettles	Wallace
Brassell	Gray (F)	O'Daniel	Warren
Carnes	Hale	Owens	Weeks
Carter	Hardin	Pruitt	Williams
Collins	Harris	Reed (T)	Wise
Connell	Headley	Roberts	Wynot
Coshatt			

—65

Nays:

Messrs.:	Goodwin	McCluskey	Reid (R)
Culver	Grey (D)	McNair	Reynolds
Erdreich	Hill	Porter	Smith (P)
Falkenburg	Lutz		

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BILLS ON THIRD READING RESUMED

And the bill:

H. 370. To amend Title 51, Section 717(1), Code of Alabama, 1940, as recompiled, 1958, so as to provide that certain disabled veterans shall be exempt from all license fees and ad valorem taxes required by or prescribed in Article 8 of Chapter 20, Title 51 of the 1940 Code of Alabama relating to the initial and any subsequent motor vehicles purchased by such veterans.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carnes
Adams	Barron	Bowers	Carter
Adwell	Bassett	Brassell	Collins
Agee	Benton	Burgess	Connell
Bank	Boles	Callahan	Coshatt

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Cottingham	Harris	Mathews	Smith (P)
Crawford	Headley	May	Snell
Cross	Hearn	Meeks	Stewart
Crowe	Hill	Mims	Stokes
Dill	Hobbie	Naramore	Stubbs
Doss	Hughes	Nettles	Taylor
Downing	Jones (F)	O'Daniel	Timmons
Drake	King	Owens	Turner
Edwards	Lang	Porter	Turnham
Ellis	Lutz	Pruitt	Waggoner
Falkenburg	McBride	Reed (T)	Waldrop
Gafford	McCluskey	Reid (R)	Wallace
Goodwin	McCorquodale	Reynolds	Warren
Grainger	McDonald	Roberts	Weeks
Gray (F)	McMillan	Robertson	Williams
Grey (D)	McNair	St. John	Wise
Hale	Manley	Smith (K)	Wynot
Hardin			

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Turner, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 370.

**REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 125. Commending Edwin Virginus Smith, Dean and Director, Auburn University School of Agriculture and Agricultural Experiment Station, upon his retirement.

Also:

H. J. R. 126. Commending Chester Milton Arehart upon his retirement as Registrar for Florence State University.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 591. To provide for a voluntary anatomical gift by executing a statement on state drivers' licenses and to require that a statement be pro-

vided for, for such voluntary gifts, on the reverse side of all issued drivers' licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 2.

Yeas:

Mr. Speaker	Crawford	Lutz	Robertson
Adams	Cross	McDonald	St. John
Adwell	Dill	McMillan	Smith (P)
Bank	Downing	McNair	Snell
Barkett	Drake	Manley	Stewart
Barron	Ellis	May	Stokes
Bassett	Gafford	Meeks	Stubbs
Boutwell	Goodwin	Merrill	Taylor
Bowers	Grainger	Mims	Timmons
Brassell	Gray (F)	Nettles	Turnham
Burgess	Grey (D)	Owens	Waldrop
Carnes	Hale	Porter	Warren
Carter	Hardin	Reed (T)	Weeks
Casey	Headley	Reid (R)	Williams
Cauthen	Hearn	Reynolds	Wise
Connell	Hill	Roberts	Wynot
Coshatt	King		

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Nays: Messrs. McCluskey and Turner.

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And the bill:

H. 802. To provide for two additional members on the Mental Health Board, pursuant to Act No. 881, H. 699, Regular Session 1965 (Acts 1965, p. 1650), which act creates the Department of Mental Health and the Mental Health Board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 17.

Yeas:

Messrs.:	Cross	Hearn	Reid (R)
Adams	Crowe	Hill	Reynolds
Bank	Culver	Jones (F)	Roberts
Barkett	Doss	King	Robertson
Barron	Downing	Lutz	Smith (K)
Bassett	Drake	McDonald	Stewart
Brassell	Edwards	McMillan	Stokes
Callahan	Ellis	McNair	Timmons
Carnes	Falkenburg	May	Turner
Carter	Flipppo	Mims	Turnham
Casey	Goodwin	Nettles	Waldrop
Cauthen	Grainger	Owens	Warren
Connell	Gray (F)	Porter	Weeks
Coshatt	Hale	Pruitt	Wise
Cottingham	Hardin	Reed (T)	Wynot

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Nays:

Mr. Speaker	Collins	Hughes	Naramore
Benton	Crawford	Mathews	St. John
Boles	Dill	Meeks	Smith (P)
Boutwell	Gafford	Merrill	Wallace
Burgess			

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And the bill:

H. 335. To further amend Section 1 of Act No. 208, S. 32, approved August 26, 1966 (Acts of Alabama, 1966 Special Session, page 256), which Act provides for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers or certain firemen who are killed in the course of employment, etc., said Section of said Act being last amended by Act No. 1130, S. 482, Legislature of 1969, approved September 13, 1969 (Acts of 1969, Vol. III, p. 2094); to further define the term "peace officer" as used in said Act No. 208, Legislature of 1966, Special Session, as amended, to include "livestock theft investigators" of the Department of Agriculture and Industries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Flippo	McNair	Stokes
Bowers	Gafford	Manley	Stubbs
Brassell	Goodwin	May	Taylor
Carnes	Grainger	Meeks	Timmons
Carter	Gray (F)	Merrill	Turner
Casey	Grey (D)	Mims	Turnham
Collins	Hale	Naramore	Waldrop
Connell	Hardin	Nettles	Wallace
Coshatt	Harris	O'Daniel	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hughes	Reid (R)	Wynot

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And the bill:

H. 803. (With Amendment): To amend Sections 38, 39 and 51 of Title 18 of the Code of Alabama 1940, relating to electric cooperatives, so as to provide for the designation of a quorum at all meetings of the members, to provide for the board of trustees of the cooperative, and to provide for the encumbering of the property of the cooperative.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Agriculture, said Committee amendment being as follows:

Amend Section 1 of H. B. 803, by deleting the word "One" from the thirtieth line of said Section, and substituting therefor the word "Three".

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reed (T)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Barkett	Downing	Lutz	Robertson
Barron	Drake	McCluskey	St. John
Bassett	Edwards	McCorquodale	Slate
Benton	Ellis	McDonald	Smith (K)
Boles	Falkenburg	McMillan	Snell
Boutwell	Goodwin	McNair	Stewart
Bowers	Grainger	Manley	Stokes
Brassell	Gray (F)	May	Stubbs
Carnes	Grey (D)	Meeks	Taylor
Carter	Hale	Merrill	Timmons
Casey	Hardin	Mims	Turner
Cauthen	Harris	Naramore	Waldrop
Collins	Headley	Nettles	Wallace
Coshatt	Hearn	O'Daniel	Warren
Crawford	Hill	Porter	Williams
Cross	Jackson	Pruitt	Wise

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And the bill, H. 803 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 4.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	King	St. John
Barkett	Doss	McCluskey	Smith (K)
Barron	Downing	McCorquodale	Smith (P)
Bassett	Drake	McDonald	Snell
Benton	Edwards	McMillan	Stokes
Boutwell	Falkenburg	May	Taylor
Bowers	Goodwin	Meeks	Timmons
Brassell	Gray (F)	Mims	Turnham
Carnes	Grey (D)	Naramore	Waldrop
Carter	Hale	Nettles	Wallace
Cauthen	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Williams
Cottingham	Hearn	Porter	Wise
Crawford	Hill	Reed (T)	Wynot
Cross	Hughes	Reynolds	

—63

Nays:

Messrs.: Dill	McNair	Robertson	Stewart
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—4

REGULAR SESSION
18th Day

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And the bill:

H. 817. To provide for participation by the State of Alabama in the Interstate Library Compact.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	King	Roberts
Bank	Culver	Lutz	St. John
Barkett	Dill	McCluskey	Smith (K)
Barron	Doss	McCorquodale	Smith (P)
Bassett	Downing	McDonald	Snell
Benton	Drake	McMillan	Stewart
Boles	Edwards	McNair	Stokes
Boutwell	Ellis	Manley	Taylor
Bowers	Falkenburg	May	Timmons
Brassell	Goodwin	Meeks	Turner
Burgess	Grainger	Merrill	Turnham
Callahan	Gray (F)	Mims	Waggoner
Carnes	Grey (D)	Naramore	Waldrop
Carter	Hale	Nettles	Wallace
Cauthen	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Hearn	Pruitt	Williams
Cottingham	Hill	Reed (T)	Wise
Crawford	Hughes	Reid (R)	Wynot

—80

And the bill:

H. 336. To amend Section 1 of Act No. 238, H. 288, approved July 27, 1953 (Acts of Alabama of 1953, Vol. I, p. 303) an Act providing for the designation of certain employees of the Department of Agriculture and Industries as "Livestock Theft Investigators" with authority as peace officers, etc.; to amend said Act No. 238 to empower "Livestock Theft Investigators" in the employ of the Department of Agriculture and Industries with authority of peace officers to conduct investigations and make arrests for any unlawful offense which authority may be exercised anywhere in the State.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Edwards
Adams	Brassell	Crawford	Ellis
Bank	Burgess	Cross	Falkenburg
Barkett	Callahan	Crowe	Goodwin
Barron	Carnes	Culver	Grainger
Bassett	Carter	Dill	Gray (F)
Benton	Cauthen	Doss	Grey (D)
Boles	Connell	Downing	Hale
Boutwell	Coshatt	Drake	Hardin

Harris	Manley	Reed (T)	Timmons
Hearn	Mathews	Reynolds	Turner
Hill	May	Roberts	Turnham
Hughes	Meeks	Robertson	Waggoner
Jackson	Merrill	St. John	Waldrop
Jones (F)	Mims	Smith (K)	Wallace
King	Naramore	Smith (P)	Warren
Lutz	Nettles	Snell	Weeks
McCluskey	O'Daniel	Stewart	Williams
McDonald	Owens	Stokes	Wise
McMillan	Porter	Taylor	Wynot
McNair	Pruitt		

—82

And the bill:

H. 337. To further provide for enforcement of the anti-litter laws of the state by the assignment of one or more state troopers for such purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Lutz	Roberts
Bank	Dill	McCluskey	Robertson
Barkett	Doss	McCorquodale	St. John
Barron	Downing	McDonald	Smith (K)
Bassett	Drake	McMillan	Smith (P)
Benton	Edwards	McNair	Stewart
Boles	Ellis	Manley	Stokes
Boutwell	Falkenburg	May	Taylor
Bowers	Goodwin	Meeks	Timmons
Brassell	Grainger	Merrill	Turner
Burgess	Gray (F)	Mims	Turnham
Callahan	Grey (D)	Naramore	Waggoner
Carnes	Hardin	Nettles	Waldrop
Carter	Harris	O'Daniel	Wallace
Cauthen	Hearn	Owens	Warren
Connell	Hill	Porter	Weeks
Coshatt	Hughes	Pruitt	Williams
Cottingham	Jackson	Reed (T)	Wise
Crawford	Jones (F)	Reid (R)	Wynot
Cross			

—81

UNANIMOUS CONSENT GRANTED

At the request of Mr. Fite, unanimous consent was granted to have the Journal show that he was temporarily out of the House when the bill, H. 730, was taken up for passage, and that had he been present he would have voted "Nay".

BILLS ON THIRD READING RESUMED

And the bill:

H. 795. Relating to mobile home safety, making it unlawful to occupy a mobile home unless it is anchored to resist certain wind loads; providing the Alabama State Fire Marshal with authority to promulgate rules and regulations to enforce this act and providing criminal penalties for its violation.

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18th Day

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Was taken up.

H. 795 POSTPONED

On motion of Mr. Jones (F), the bill, H. 795, was postponed to the twenty-first legislative day.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Jones (F) to suspend the rules in order to take up out of order the bill, H. 748, was lost, lacking a four-fifths vote.

Yeas 36; Nays 33.

Yeas:

Messrs.:	Edwards	Hughes	St. John
Barkett	Ellis	Jones (F)	Stokes
Boles	Grainger	Lang	Stubbs
Boutwell	Grey (D)	May	Taylor
Brassell	Hale	Meeks	Turner
Callahan	Harris	Owens	Turnham
Connell	Headley	Pruitt	Waggoner
Cottingham	Hearn	Reed (T)	Wallace
Crowe	Hobbie	Robertson	Williams
Downing			—36

Nays:

Messrs.:	Falkenburg	McMillan	Reid (R)
Adams	Gafford	McNair	Smith (K)
Barron	Goodwin	Manley	Smith (P)
Bassett	Gray (F)	Merrill	Stewart
Benton	Hill	Mims	Waldrop
Burgess	Jackson	Naramore	Warren
Carnes	King	Nettles	Wise
Cauthen	Kinsey	Porter	Wynot
Dill	Lutz		—33

BILLS ON THIRD READING RESUMED

And the bill:

H. 749. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1972, approved September 20, 1972, which act establishes a Uniform Standards Code for the construction of Mobile Homes to be sold within this state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

Was taken up.

Mr. Jones (F) offered the following amendment #1 to the bill:

Amend H. B. 749, Section 6 by inserting the following additional paragraph at the end to be known as (G): "(G) All monies collected from licenses and fees under this Act shall be paid to the State Fire Marshal to provide necessary revenue for the enforcement of this Act. All fees and licenses collected under the provisions of this Act, or otherwise inuring to the credit of the Fire Marshal, shall be deposited in the State Treasury in a fund to be designated as the "State Fire Marshal's fund", which fund is hereby estab-

lished. The expenses incurred by the Marshal in carrying out the provisions of this Act, together with the compensation of employees required to enforce this Act, shall be paid from this fund, and the amount necessary to meet these expenses and salaries is hereby appropriated from such fund."

And the amendment #1 was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Roberts
Barkett	Dill	King	Robertson
Barron	Downing	Kinsey	St. John
Bassett	Drake	Lutz	Stewart
Benton	Edwards	McBride	Stokes
Boles	Ellis	McCluskey	Stubbs
Boutwell	Falkenburg	McCorquodale	Taylor
Bowers	Goodwin	McMillan	Timmons
Brassell	Grainger	McNair	Turner
Burgess	Grey (D)	Manley	Turnham
Callahan	Hale	May	Waggoner
Carnes	Hardin	Meeks	Waldrop
Carter	Harris	Naramore	Wallace
Collins	Headley	Nettles	Williams
Connell	Hearn	Owens	Wise
Coshatt	Hill	Porter	Wynot

—68

Mr. Jones (F) offered the following amendment #2 to the bill, H. 749 as amended:

Amend H. B. 749 by inserting the following paragraph after Section 1 and renumbering the subsequent sections accordingly: "Severability Clause. —If any section or part of section of this act shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this act nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply."

And the amendment #2 was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Carnes	Falkenburg	King
Adams	Carter	Gafford	Kinsey
Bank	Collins	Goodwin	Lutz
Barkett	Connell	Grainger	McBride
Barron	Coshatt	Grey (D)	McCluskey
Bassett	Cross	Hale	McCorquodale
Benton	Culver	Hardin	McMillan
Boles	Dill	Harris	McNair
Boutwell	Downing	Headley	Manley
Brassell	Drake	Hearn	May
Burgess	Edwards	Hughes	Meeks
Callahan	Ellis	Jackson	Naramore

Nettles	Reid (R)	Stokes	Wallace
Owens	Roberts	Stubbs	Williams
Porter	Robertson	Timmons	Wise
Pruitt	St. John	Turner	Wynot
Reed (T)	Stewart	Waldrop	—67

Mr. Cauthen offered the following amendment to the bill, H. 749 as amended:

Amend H. B. 749, Section 1, Subsection 6, D by striking therefrom the figures and symbols "\$10,000.00" and by substituting in lieu thereof the figures and symbols "\$25,000.00".

and further amend Section E by striking the words and symbols "\$25,000.00" and by substituting in lieu thereof the symbols and figures "\$100,000.00".

and further amend Section E by adding at the end thereof the following:

"The bonds described in this and the immediately preceding sub-paragraph shall be issued for the express purpose of protection of the public including any person who is injured or damaged, in person or property, including loss of life, as a result of the manufacture or sale of a mobile home in violation of this Act."

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other

provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

TOM DRAKE,
Chairman.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution and House Bill hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:45 P.M. on July 12, 1973.

H. J. R. 131

H. 433

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Hardin, the House adjourned until 2:00 o'clock p.m., Tuesday, July 17, 1973.

Yeas 41; Nays 37.

Yeas:

Mr. Speaker	Dill	Hearn	Porter
Adams	Doss	Kinsey	Pruitt
Agee	Downing	McCorquodale	Reid (R)
Bank	Drake	McDonald	Reynolds
Barkett	Edwards	Manley	St. John
Bassett	Goodwin	Mathews	Smith (K)
Brassell	Grey (D)	Meeks	Snell
Callahan	Hardin	Merrill	Stokes
Cottingham	Harris	Naramore	Turner
Crawford	Headley	O'Daniel	Williams
Culver			

—41

Nays:

Messrs.:	Cross	King	Smith (P)
Barron	Crowe	Lutz	Stewart
Benton	Flippo	McBride	Taylor
Burgess	Grainger	McCluskey	Timmons
Carnes	Hale	McMillan	Turnham
Carter	Hill	McNair	Waggoner
Cauthen	Hobbie	Nettles	Waldrop
Chesnut	Hughes	Owens	Wise
Connell	Jackson	Robertson	Wynot
Coshatt	Jones (F)		

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NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 17, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Minister, Aldersgate United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	Mathews	Therrell
Callahan	Goodwin	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Turnham
Casey	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot

—104

A quorum was present.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 329. To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System.

H. 330. To make additional appropriations to the Highway Department for the construction of public highways and bridges in the state to supplement those amounts appropriated by Act No. 90, First Special Session of the Legislature 1971.

H. 1309. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975.

H. 1321. To make an appropriation for the payment of expenses of the Legislature.

H. 414. To authorize the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Director of Finance to become a public corporation to be known as Alabama Legislative Building Authority; to provide the procedure for incorporation, to designate the members, directors, and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration, and equipment of public office buildings and the acquisition of sites therefor, the power of eminent domain, and the power to sell and issue not exceeding \$12,000,000 principal amount of bonds for such purposes; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment of buildings by the Authority; to provide for a standing legislative committee to approve the selection of architects or engineers and to approve the plans and specifications of buildings constructed by the Authority; to authorize the conveyance to said Authority of lands owned by the State; to create a reserve

fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by the Legislative Branch of the State of Alabama and to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and to private parties, of space for occupancy in said building or buildings; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; and to provide for dissolution of said Authority and conveyance of its assets and properties to the State upon payment of said bonds.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 299. (With Amendment): To make a supplemental appropriation to the State Agency for Social Security for the fiscal year ending September 30, 1973.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 561. To authorize county and city boards of education to provide one hundred twenty-four dollars (\$124) per annum per teacher toward the purchase of a group hospital/medical insurance program selected by a majority of the teachers and to make an appropriation from the Alabama Special Educational Trust Fund therefor.

H. 1335. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

H. 1334. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session 1965.

H. 717. Relating to state sales taxes, further amending Section 1 of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, so as to exclude, by definition, from the computation of the tax, certain costs of transportation charged by vendors who use their own transportation equipment for delivering tangible personal property sold by them, subject to certain conditions.

H. 716. Relating to state use taxes, further amending Code of Alabama 1940, Title 51, Section 787, as amended, so as to exclude, by definition, from the computation of the tax, certain costs of transportation charged

by vendors who use their own transportation equipment for delivering tangible personal property sold by them, subject to certain conditions.

H. 1318. To authorize Alabama Public School and College Authority to sell and issue \$60 million aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 176. (With Amendment): To amend the title and Sections 1 and 4 of Act No. 1134, S. 519, Regular Session 1969 (Acts 1969, p. 2099), which act provides for certain school lunchroom managers and assistant managers to become members of the Teachers' Retirement System of Alabama and to receive the benefits therefrom, subject to certain conditions, and which appropriates certain funds to carry out the provisions of said act; so as to include all regularly employed workers in school lunchrooms within the provisions of said act, and to provide an additional appropriation for the purposes of carrying out the provisions of this act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 939. (With Amendments): To provide for a guaranteed minimum starting wage or salary for all state, county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 747. To amend further Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945, p. 734), as amended, which relates to the Employees' Retirement System of Alabama; to make an appropriation and give the amendment retroactive effect.

H. 1169. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; and to appropriate funds.

H. 1171. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1973-74 and 1974-75; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

H. 448. To amend the title and Sections 1 and 3 of Act No. 2307, S. 250, of the Regular Session of 1971 (Acts of 1971, p. 3728), which provides for covering certain employees of public school systems in the Teachers' Retirement System so as to include persons employed by such public school systems as custodians and janitors among the employees who may be covered by the Teachers' Retirement System.

H. 944. To amend Sections 10 and 11 of Act No. 481, S. 152, Regular Session 1963 (Acts 1963, p. 1028), so as to make the executive director and employees of the USS ALABAMA Battleship Commission eligible for membership in the state health insurance plan and eligible for participation in the state employees' retirement system.

H. 1158. To amend Section 2 of Act No. 737, H. 649, Regular Session 1953 (Acts 1953, p. 1000), pertaining to the deposition of revenues derived from the sale of sand and gravel taken from the public water bottoms and state lands, so as to provide for an increase from five percent (5%) to seven and one-half percent (7½%) in the amount received by the State Lands Division of the Department of Conservation and Natural Resources as cost of administration of said lands.

H. 1159. To amend Section 9 of Act No. 341, H. 26, Regular Session 1945 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by

said Department for administering, managing, protecting or developing state owned land will be raised from five percent (5%) of the gross income derived from said land to seven and one-half percent (7½ %).

H. 1218. To make an appropriation of \$80,000 per year for the next two fiscal years, out of any funds in the State Treasury not otherwise appropriated, for use by the State Health Department for Family Planning Services.

H. 4. To amend the Code of Alabama 1940, Title 51, Section 15, as amended, relating to the exemption of homesteads from State ad valorem taxes, so as to provide additional exemptions for persons who are retired due to permanent and total disability, regardless of age, and to give the State Commissioner of Revenue certain powers and duties in connection therewith.

H. 568. To make an appropriation from the State Treasury for the relief of Ruby T. Butler, Tax Assessor of Jackson County for services rendered for which no salary or fees are payable.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 991. (With Amendments): To provide for a retirement system for the sheriffs of the various counties within the state.

H. 1182. (With Amendments): To authorize the State Department of Education to establish public kindergarten pilot programs in each of the congressional districts of the state.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1023. To further identify creditable years of service under the Employees' Retirement System of Alabama, and Teachers' Retirement System of Alabama.

H. 399. To amend Act No. 758, S 556, Regular Session 1967, which Act fixes the salary range of the State Budget Officer, by placing the authority to fix such salary in the State Personnel Board.

H. 374. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

H. 119. To provide for the retirement of teachers who are members of the Teachers' Retirement System of Alabama who have 30 years of creditable service regardless of age and to modify all laws or parts of law in conflict with the provisions of this Act.

H. 616. To further amend Title 51, Section 388, Code of Alabama 1940, as amended, which relates to exemptions from the state income tax on

REGULAR SESSION
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individuals so as to exempt retired employees of the Tennessee Valley Authority from state income tax.

H. 341. To confer additional authority upon the Governor's Mansion Advisory Board and to make an appropriation to the Governor's Mansion Advisory Board for the purchase of property in the block upon which the Governor's Mansion is located.

H. 342. To make an appropriation to the Governor's Mansion Advisory Board for the renovation, restoration, refurbishing and refurnishing of the Governor's Mansion.

H. 265. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 216. (With Substitute): To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of 1945 Act as amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 12. To provide tuition grants to any full time law enforcement officer of the state, municipality or county who attends any state supported college in this state which offers courses toward a Bachelor's Degree in Law Enforcement so as to allow eligible officers to take such courses free of tuition charges.

H. 643. To exempt the Birmingham Children's Theatre, an Alabama Corporation, from the payment of all state, county and municipal sales and use taxes.

H. 1211. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

H. 1212. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the

State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

H. 1213. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

H. 1214. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

H. 1215. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

H. 1216. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

H. 1059. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

H. 1060. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for payment of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1061. (With Substitute): To provide salary increases for state merit system employees; and to appropriate funds therefor.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

H. 1280. (With Substitute): To amend Title 13, Section 262 and Section 263, Code of Alabama, 1940, as recompiled 1958, by deleting therefrom that portion relating to transcript fees of court reporters.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1382. To provide for the offense of burglary in the third degree (breaking and entering) and to provide the punishment for said offense.

H. 1299. To provide for city elections on the question of legal sales and distribution of alcoholic beverages in dry counties.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 990. (With Amendment): To amend Section 6 of an Act entitled "An Act to prohibit the giving of worthless checks, drafts or other written orders for money; to give definition of certain words and phrases; to provide a penalty for violation; and to repeal all laws in conflict, especially Title 14, Sections 234 (8), Code of Alabama Recompiled 1958," approved October 1, 1971.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 354. To abolish county legislative agents in Alabama, and to repeal conflicting laws.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1204. (With Amendment): To amend Act No. 60, H. 218, Second Special Session 1965, which levies and provides for a "fair trial tax" upon criminal and quasi criminal cases, amending the title and Sections 3 and 4 thereof so as to provide that in any case where a municipality provides counsel for indigents in its Recorder's Court the fair trial tax collected therein shall be remitted to the City Treasury.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1022. To establish a Community Service Agency within the Alabama Development Office; to authorize said agency to analyze the human service needs in all areas not specifically assigned to another state agency; to cooperate with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies in the development and implementation of a delivery system for human services; to authorize said agency to award grants and contracts for the administration of human service programs, which may be funded from federal, state, regional, local and private sources.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1333. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for the fiscal year ending September 30, 1973.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 376. To amend Title 52, Section 322, to provide for certification of nurses to serve in the position of professional school nurse and to provide that prior to the issuance of such certificate the applicant shall have met all requirements prescribed by the State Board of Nursing for license as a Registered Nurse.

H. 419. To amend Title 52, Section 100, Code of Alabama, 1940, changing the name of School Trustees to that of Local School Advisory Committee and to repeal Title 52, Sections 138, 139, 140, 141, 143, 144, 145, 146, and 147 and to further provide for the selection of Local School Advisory Committees and specify their powers.

H. 954. To require the parent or legal guardian of every child entering elementary school in this state to obtain a social security number for each such child; and providing for the placement of said social security number on the child's school record upon his entering school.

H. 1154. To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1124. (With Amendments): To prohibit a town or city from extending its corporate limits so as to include a state park without the approval of the Governor and Commissioner of Conservation; to provide that this act does not apply to the extension of a town or city's police jurisdiction.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 42. Making the use of certain commercial fishing nets in this state illegal; providing exceptions under certain conditions and in areas where the use of such nets is authorized by the Commissioner of the Department of Conservation and Natural Resources upon petition by certain members of the legislature and prescribing penalties for violation of the provisions of this act.

H. 1467. To further amend Section 6 of Act No. 576, H. 256, Regular Session 1959 (Acts 1959, p. 1444), as amended, which section relates to the issuance of boat registration certificates, so as to further regulate the issuance of said boat registration certificates.

H. 1413. To make it a misdemeanor to pick wild sea oats on the beaches of this State.

H. 1312. Providing penalties for any non-resident of this state who gives false information in order to obtain a resident hunting or fishing license.

H. 1311. Relating to non-resident hunting licenses; amending Section 2 and Section 4 of Act No. 751, H. 330, Regular Session 1965, (Acts 1965, p. 1365), so as to increase the cost of various types of non-resident hunting licenses.

H. 1313. To amend Section 39 and Section 40, Title 8, Code of Alabama 1940, as amended, which sections relate to the costs of non-resident fishing license, so as to further regulate the costs of said licenses.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 182. To provide for the operation of a nonprofit ambulance service by the counties of Tallapoosa and Coosa and incorporated municipalities located in said counties.

H. 702. To authorize the Clay County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

H. 1045. Relating to the Eleventh Judicial Circuit, authorizing each circuit judge of said circuit to appoint a secretary and providing compensation.

H. 1139. Relating to Choctaw County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

H. 1140. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

H. 1141. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk hire allowance for the Probate Judge of such counties.

H. 1142. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

H. 1168. To extend, alter and rearrange the boundaries and corporate limits of the Town of Killen so as to annex certain adjacent territory to the Town of Killen.

H. 1327. To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

H. 1360. To create the office of license inspector in all counties having populations of not less than 115,000 and not more than 150,000, according to the most recent federal decennial census; to provide for the supervision of such office by the governing body of such counties; to authorize the governing body of such counties to provide for certain personnel and duties of such office and for salaries; to repeal Section 18 of Act No. 1292, H. 1795, Regular Session 1971 (Acts 1971, p. 2220).

H. 1376. To authorize each circuit judge of the Eleventh Judicial Circuit to appoint a bailiff-law assistant or alternatively to appoint two other bailiffs; to provide for the compensation, duties and payment of such bailiffs.

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no established emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

H. 1415. To authorize the governing body of all counties having a population of not less than 12,000 nor more than 12,800 according to the last or any subsequent federal decennial census, to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

H. 1416. Amending Section 1 of Act No. 121, H. 22, Special Session 1971 (Acts 1971, p. 204), fixing the fee for pistol permits in counties having a population of not less than 10,660 nor more than 10,900, so as to provide for the distribution of fees collected by issuance of such permits.

H. 1417. To provide for the compensation of circuit court bailiffs in all counties having a population of not less than 10,660 nor more than 10,900 according to the last or any subsequent federal decennial census.

H. 1418. To provide that the county commissions of all counties having populations of not less than 10,660 or no more than 10,900, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

H. 1419. To authorize the sheriff of counties having a population of not less than 10,660 nor more than 10,900 to collect and retain the fees and allowances prescribed by law for feeding prisoners.

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

H. 1422. Relating to Pike County, to provide that the Sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

H. 1468. To amend Section 1 of Act No. 106, H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

H. 1469. To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteenth Judicial Circuit of Alabama, the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for expense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

H. 1471. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Judge of the Circuit Court; providing a limitation on amounts so paid; and providing further for such payments.

H. 1472. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing that any Circuit Judge, who maintains his principal of-

fice at the courthouse, therein may appoint one additional Bailiff to serve the circuit courts; to prescribe the pay for the service of said Bailiff and the manner thereof.

H. 1473. To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

H. 1475. Relating to Shelby County; providing further for the disposition of fines and forfeitures paid by any person convicted in the County Inferior Court of Shelby County of violations of the laws of this State relating to the licensing of drivers of motor vehicles, where the person was arrested by a Shelby County law enforcement officer.

H. 1476. Relating to Shelby County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1378. To provide for the regulation of strip mining of coal in all counties in the State of Alabama of population of 600,000 or more according to the last federal decennial census based on the number of tons of strip mined coal produced in such counties and to provide for the reclamation and revegetation of lands and rebuilding of roads affected by such operations in said county; to prescribe the powers and duties of the Commissioner of the State Department of Conservation and Natural Resources in connection with strip mining; to prescribe conditions for the issuance of permits; to require bonds and prescribe conditions for forfeiture thereof; to levy an excise or privilege tax on every person engaging in strip mining coal in said county, to prescribe the rate thereof and the use of the proceeds; to create a land reclamation fund for the purposes of this Act; to provide a review procedure; to prescribe penalties for violations and provide for the enforcement of the provisions of this Act.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

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H. 780. (With Substitute): To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1386. To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, p. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

H. 1387. To authorize the governing body of any county with populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide for the re-registration of electors of such counties; to provide procedures for such re-registration.

H. 1388. Relating to counties having populations of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census, authorizing the governing bodies of such counties to provide an allowance of not less than \$600.00 nor more than \$700.00 per month for a computer operator serving all county offices in such counties, to be paid from the general funds of such counties.

H. 1420. To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 736. To create two additional judgeships for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judges.

H. 1392 RE-REFERRED

On motion of Mr. Drake to re-refer, the Speaker re-referred the bill, H. 1392, from the Standing Committee on Local Legislation No. 1 to the Standing Committee on Ways and Means.

UNANIMOUS CONSENT GRANTED

At the request of Mr. McMillan, unanimous consent was granted for the Journal to show him as co-sponsor to the resolution, H. J. R. 136, introduced on the seventeenth legislative day.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 599. Relating to Madison County, to authorize the governing body of said county to pay certain expenses incurred by the Probate Judge, Tax Assessor and Tax Collector of said county in connection with their duties.

Also:

H. 629. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Also:

H. 652. Relating to counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census, so as to authorize the county commission of such counties to pay from the general funds of the county the salary or salaries of any additional clerks hired for the various elected officials of such counties.

Also:

H. 664. To provide for a secretarial assistant to the circuit judge of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent decennial census.

Also:

H. 698. Relating to counties having a population of not less than 22,000 nor more than 22,500 residents according to the most recent federal decennial census, to confer discretionary authority upon the governing body of such counties to appropriate from the general fund of the county sums of money, not to exceed five hundred dollars, and not to exceed one thousand dollars for any one year, for the payment of certain equitable and moral claims against such counties.

Also:

H. 123. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Taylor, Houston County, Alabama.

Also:

H. 170. To amend Sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secre-

tary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259).

Also:

H. 171. To further amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564).

Also:

H. 172. To further amend Sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260).

Also:

H. 415. To provide for branch banks or branch offices of banks in Henry County.

Also:

H. 563. Relating to Coffee County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Coffee County.

Also:

H. 552. Relating to Blount County: Directing and requiring the county governing body to provide for holding a referendum election relative to the continuance of the levy in such county of the special county ad valorem tax for public hospital purposes; and providing for and regulating the discontinuance of such levy if the vote at such election is against the continuance thereof.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 425. To create the position of deputy coroner in all counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census.

Also:

H. 465. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Also:

H. 466. Relating to St. Clair County; to provide further for the compensation of jurors.

Also:

H. 467. Legalizing the sale of draft or keg beer or malt beverages in St. Clair County.

Also:

H. 468. Relating to St. Clair County; to require all county and municipal governing bodies, boards, agencies and institutions receiving any public tax revenues to publish certain annual financial data; providing penalties for failure to comply with the provisions of this Act.

Also:

H. 469. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Odenville and at Steele in said County.

Also:

H. 471. To amend the title, Sections 2 and 3 of Act No. 1793, H. 1968, 1971 Regular Session (1971 Acts, p. 2961), entitled "An Act Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act."

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Also:

H. 542. To amend Section 2 of Act No. 151, H. 421, approved June 30, 1953, relating to a secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama.

Also:

H. 548. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census, so as to regulate the compensation of members of the jury commission in such counties.

Also:

H. 550. To alter, rearrange, and extend the corporate limits of the Town of Rosa, Alabama, in Blount County, so as to include within the corporate limits thereof certain additional territory in Sections 23, 14, and 15, Township 12, South, Range 1 East.

Also:

H. 551. Relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiner of public accounts annually.

Also:

H. 558. Relating to Calhoun County; to provide for the salary of certain officials of said county.

Also:

H. 564. Relating to all counties having a population of not more than 10,660; providing a travel allowance for members of the county governing body.

Also:

H. 581. To amend Section 13 of Act No. 670, H. 1234, 1971 Regular Session (Acts of 1971, p. 1389), entitled, "An Act To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws."

Also:

H. 598. Pertaining to Madison County; to authorize the governing body of said county to appropriate funds for the use and benefit of Fellowship Center, Inc., a non-profit corporation, formerly known as Senior Citizens Activities Center Huntsville-Madison County, Alabama, a non-profit corporation.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

LEAVE OF ABSENCE

At the request of Mr. Goodwin, leave of absence was granted for Mr. Reynolds due to illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 140 - RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 384. To permit banks now or hereafter situated in Bibb County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions introduced on the eighteenth legislative day were read by title pursuant to Joint Rule 12:

H. J. R. 142. WISHING L. T. WAGNON MANY HAPPY YEARS FOR LEISURE UPON HIS FORTHCOMING RETIREMENT AS COUNTY AGENT IN LAUDERDALE COUNTY.

H. J. R. 143. COMMENDING HARRY W. BOLAND OF OPP FOR RISKING HIS OWN LIFE TO AID OPP POLICEMAN ROBERT EARL ANDERSON.

H. J. R. 144. RECOGNIZING DR. JESSE M. RICHARDSON UPON HIS RETIREMENT

H. J. R. 146. COMMENDING MR. CLARENCE M. KELLEY UPON HIS RECENT APPOINTMENT AS DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Stewart, Casey and Burgess:

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

Local Legislation No. 1.

By Messrs. Merrill, Burgess and Stewart:

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

Local Legislation No. 1.

By Messrs. Stewart, Burgess and Merrill (With Notice and Proof):

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Local Legislation No. 1.

Notice and Proof H. 1494:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the city, the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

PARCEL NO. 1

Block J, as designated on the map or plat of Blocks H&J to the property of S. A. Smith, situated in the NW¼ of the NW¼ of Section 31, Township

16, Range 8, in Calhoun County, Alabama, being the same property heretofore conveyed on January 8, 1952, by S. A. Smith and wife, Carrie L. Smith, to G. W. Hewitt and wife, Ruth Hewitt, as shown by deed recorded in the office of the Judge of Probate of Calhoun County, Alabama, in Book 738 at Page 368, all as shown by plat recorded in Plat Book E at Page 30.

PARCEL NO. 2

Lot No. 4, Block No. A, as shown on the map of Howle Subdivision, Second Addition, Oxford, Alabama, recorded in the Office of the Probate Judge of Calhoun County, Alabama, in Plat Book "O," Page No. 21, situated in Calhoun County, Alabama.

PARCEL NO. 3

Lot 15, Block 2, as shown on the map of Howle Subdivision recorded in the Office of the Probate Judge of Calhoun County, Alabama, in Plat Book "K," Page 9, situated in the City of Oxford, Calhoun County, Alabama.

PARCEL NO. 4

Lot No. 2 and the north half of Lot No. 3 in Block H, as shown on the S. A. Smith Addition of Blocks H and J, situated in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31, Township 16, Range 8, recorded in Plat Book E at Page 30 in the Office of the Judge of Probate of Calhoun County, Alabama, situated in the County of Calhoun, State of Alabama.

PARCEL NO. 5

Lot 1, Block A, as shown on the map of Howle's Subdivision recorded in the Office of the Probate Judge of Calhoun County, Alabama, at Plat Book "O," Page 21, situated in Calhoun County, Alabama.

PARCEL NO. 6

Lot No. 3, Block A, as shown on the map of Howle Subdivision, Second Addition, Oxford, Alabama, recorded in the Probate Office of Calhoun County, Alabama, in Plat Book "O," Page No. 21, situated in Calhoun County, Alabama.

PARCEL NO. 7

Lot 14, Block 2 as shown on the map of Howle Subdivision, as recorded in Plat Book "K," Page 9, Probate Office, Calhoun County, Alabama.

PARCEL NO. 8

Lots 7, 8 and 9, Block E, according to the map of Cheaha Acres in Plat Book 1, Page 9, Office of the Judge of Probate of Calhoun County, Alabama; situated in Calhoun County, Alabama.

PARCEL NO. 9

Commencing at the northwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 25, Township 16 South, Range 7 East, proceed south 03 degrees 03' east along the west boundary of said quarter-quarter section 157.13 feet to a point on the north right-of-way boundary of West Ninth Street (R-W 60 feet);

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Thence turn a deflection angle of 104 degrees 24' to the left and proceed north 72 degrees 33' east along said right of way boundary 276.16 feet to the beginning of curve radius of 5699.58 feet;

Thence proceed along said curve to the left 63.52 feet to the point of beginning of the property herein described;

Thence continued along said curve and right of way boundary 120.25 feet to a point; thence proceed north 20 degrees 12' west 149.69 feet to a point;

Thence turn a deflection angle of 90 degrees 00' to the left and proceed south 69 degrees 48' west 120.0 feet to a point;

Thence turn a deflection angle of 90 degrees 00' to the left and proceed south 20 degrees 12' east 146.0 feet to a point on the north right of way boundary of West Ninth Street, the point of beginning. Said property is located in the SE $\frac{1}{4}$ of Section 25, Township 16 South, Range 7 East, in Calhoun County, Alabama.

PARCEL NO. 10

A parcel of land fronting 100 feet on the east side of the Quarry Road in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35, Township 16, Range 7 in Calhoun County, Alabama, more particularly described as follows: Beginning 137 feet north of and 16 $\frac{1}{2}$ feet east of the southwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35, Township 16, Range 7, which point of beginning is on the east side of the Quarry Road 137 feet north of the centerline of the Oxford and Coldwater Public Road;

Thence north along the east line of the Quarry Road 100 feet; thence east at right angles 133 feet; thence south by an interior angle of 77 degrees 102 feet; thence west 111 feet to the point of beginning.

PARCEL NO. 11

Lot 25, Block A, as shown on the map of Cheaha Acres Estates, recorded in the Office of the Probate

THIS THE 13th DAY OF June, 1973

In this Equity cause, it being made to appear to the Register of this Court, by the sworn AFFIDAVIT of Roger Dale Lewis Petitioner that the RESPONDENTS Marlene L. Lewis is a non-resident of the State of Alabama, and that her Post Office address is unknown and that such address cannot be ascertained after reasonable effort; and further, that in the belief of said affiant, the respondent is over the age of twenty-one years.

Judge of Calhoun County, Alabama, in Plat Book "1," Page 9, situated, lying and being located in Calhoun County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
CALHOUN COUNTY

Before me, the undersigned authority in and for said state and county, personally appeared Terry A. Crowe, who being duly sworn, certifies that he

is General Manager of The Oxford Sun, a newspaper published in Calhoun County, Alabama, and that the attached notice was published in said newspaper on the following dates: June 20, 27, July 4, 11, 1973.

TERRY A. CROWE,
General Manager.

Sworn to and subscribed before me this 11th day of July 1973.

CHERYL L. HAYNES,
Notary Public.

My Commission Expires April 28, 1976.

By Messrs. Cross and Carter:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 15, 1973, through October 1, 1973.

Local Legislation No. 1.

By Messrs. Chesnut and Porter (With Notice and Proof):

H. 1496. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Local Legislation No. 1.

Notice and Proof H. 1496:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the County Court of Cherokee County is hereafter provided an additional expense allowance of two hundred dollars per month, to be paid out of the county treasury, to be expended in carrying out the duties of his position. Said expense allowance shall be in addition to any and all other salary, compensation or expense allowance provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor; or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, 27, July 4, and July 11, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me July 11, 1973.

DOT JOHNSON,
Notary Public.

By Messrs. Chesnut and Porter (With Notice and Proof) :

H. 1497. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Local Legislation No. 1.

Notice and Proof H. 1497:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Commencing with the next term of office of the tax assessor and tax collector of Cherokee County their salary shall be \$8,400 per annum payable out of the county general fund as are the salaries of other county officials.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27, and July 4th, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me July 9, 1973.

GARY E. DAVIS,
Notary Public.

By Messrs. Mims and Warren (With Notice and Proof):

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

Local Legislation No. 1.

Notice and Proof H. 1498:

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, the state sales tax act, and in Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended, shall, where used in this Act, have the meanings respectively ascribed to them in said Act No. 100 and Code of Alabama 1940, Title 51, Chapter 20, Article 11 as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phrases, where used in this Act, shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act and the incidence and collection of the tax imposed therein;

"State sales Tax" means the tax imposed by the state sales tax statutes:

"State use tax statutes" means Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said Article and the incidence and collection of the tax imposed therein;

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the State Department of Revenue pursuant to the state use tax statutes of licensed under the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. There are hereby levied and imposed in Monroe County, in addition to all other taxes of every kind now imposed by law, county privilege or license taxes to be determined by the application of rates against gross sales or gross receipts as the case may be as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC Stores) engaged or continuing within Monroe County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a

retailer on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sales, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied.

2. Upon every person, firm, or corporation engaged or continuing within Monroe County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Monroe County, an amount equal to one percent of the gross receipts of any such business.

3. There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state tax statutes from the computation of the amount of the state sales tax. In addition, there shall be exempted from the computation of the amount of tax the gross proceeds of the sale of automotive vehicles, truck trailers, semi-trailers, and house trailers; the gross proceeds of sale of any machine, machinery or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment; and the gross proceeds of the sale of machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, including the parts, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

4. An excise tax on the storage, use, or other consumption in Monroe County of tangible personal property purchased at retail, on or after the first day of the second month succeeding the month during which this Act shall become a law, for storage, use, or other consumption in Monroe County, at

the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Monroe County or in this State.

5. There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. The storage, use, or other consumption in Monroe County of the following tangible personal property is hereby specifically exempted from the tax imposed by this section: automotive vehicles, truck trailers, semi-trailers, and house trailers; any machine, machinery or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment; and machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, including the parts, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines, and are customarily so used. Subject to these exemptions, every person storing or using or otherwise consuming in Monroe County tangible personal property purchased at retail shall be liable for the tax imposed by this section and the liability shall not be extinguished until the tax has been paid by such person as hereby provided; provided, however, that a receipt from a registered seller given pursuant to Section 5 of this Act to the purchaser of any property to be used, stored, or consumed in Monroe County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The taxes levied by Section 2, subsections 1 and 4 of this Act shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions that are applicable to the taxes levied by the state sales and use tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the state sales and use tax statutes for enforcement and collection of taxes.

Section 4. The taxes levied in Section 2, subsection 1 of this Act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 2, subsection 4 of this Act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this Act shall be paid to and collected by the State Department of Revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes as herein levied, each person subject to such taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the Department, setting forth, with respect to all sales and business

that are provided in Section 2, subsection 1 hereof to be used as a measurement of the tax levied in said Section 2, subsection 1 a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 2, subsection 4 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 2, subsection 4 during the then preceding quarterly period; however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as the State Department of Revenue may require. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the chairman of the Monroe County governing body, or his designated agent at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Monroe County (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 2, subsection 4 hereof shall at the time of making such sale or if the storage, use, or other consumption of such tangible personal property in Monroe County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax imposed by Section 2, subsection 4 of this Act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the State Department of Revenue a return period in such form as may be prescribed by the Department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 2, subsection 4 of this Act during the then preceding quarterly period and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Monroe County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed by Section 2, subsection 4 of this Act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. The State Department of Revenue shall charge Monroe County for collecting said special taxes herein levied by this Act the cost of making such collections, which charge shall not exceed five percent of the amount collected. Such charge may be deducted once a month from the special sales and use taxes collected before certifying the amount of special taxes due Monroe County. The Commissioner of Revenue shall pay into the State Treasury all taxes collected under this Act as such taxes are received by the Department of Revenue; and on or before the tenth day of each successive month (commencing with the month following the month in which the Department makes the first collection hereunder), the Commissioner shall certify to the State Comptroller the amount of taxes collected under the provisions of this Act and paid by him into the State Treasury for the benefit of Monroe County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the State Treasury for the benefit of Monroe County during each month,

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the Commissioner may deduct from the taxes collected in said month the charges due the Department for the collection of the taxes for the County. It shall be the duty of the Comptroller to issue his warrant each month payable to the Custodian of Public School Funds, Monroe County, in an amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of Monroe County and paid into the State Treasury.

Section 7. Proceeds from the taxes herein levied shall be used for operating the public schools in Monroe County.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective on its passage and approval by the Governor, or its otherwise becoming law and shall have retroactive effect to August, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and July 12, all in the year 1973.

BILL STEWART.

Sworn to and subscribed before me July 13, 1973.

FRANCES REID NETTLES,
Notary Public.

By Messrs. Mims and Warren (With Notice and Proof):

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitioners.

Local Legislation No. 1.

Notice and Proof H. 1499:

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitions.

Be It Enacted by the Legislature of Alabama:

Section 1. The list of persons signing a petition for a wet-dry referendum election in Monroe County shall include, in addition to the name of such petitioner as is required by Title 29, Section 68 of the Code of Alabama 1940, the address and the location of the polling place of such petitioners. Said requirements of the address and polling place of such petitioners in Monroe County shall be in addition to any other state and county requirements for signers of a petition for wet-dry referendum elections.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

BILL STEWART.

Sworn to and subscribed before me July 13, 1973.

FRANCES REID NETTLES,
Notary Public.

By Messrs. Chesnut and Porter (With Notice and Proof):

H. 1500. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Local Legislation No. 1.

Notice and Proof H. 1500:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County, to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cherokee County each house trailer must have the identification tag provided for in Act No. 44, H. 53, 1961 Special Session, (Acts 1961, p. 1897) as amended, attached to the rear of said trailer regardless of whether said house trailer has been assessed for ad valorem taxation as part of the realty.

Section 2. This Act shall become effective on October 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27, and July 4, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me July 9, 1973.

GARY E. DAVIS,
Notary Public.

By Messrs. Bowers, Merrill, Gafford, McMillan, Boutwell and Weeks:

H. 1501. To amend Section 41 of Title 61, Code of Alabama 1940 (as recompiled 1958) to provide when proof of will may be taken by deposition and providing for the taking of proof of execution of will.

Judiciary.

By Mr. Smith (P):

H. 1502. To amend Sections 195 and 199 of Title 2, Code of Alabama of 1940, which relate to the testing of milk or cream for butterfat content or

quantity and the testing methods, equipment, devices and containers used for such testing.

Agriculture.

By Mr. May (With Notice and Proof):

H. 1503. Relating to Escambia County; providing salaries and expense allowances for the chairman and associate members of the Board of County Commissioners amending Sections 2 and 4 of Act # 411, H. 742, Regular Session 1963; and amending Sections 1 and 2 of Act # 652, S. 736, Regular Session 1969 (Acts 1969 p. 1182).

Local Legislation No. 1.

Notice and Proof H. 1503:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners amending Sections 2 and 4 of Act #411, H. 742, Regular Session 1963; and amending Sections 1 and 2 of Act # 652, S. 736, Regular Session 1969 (Acts 1969 p. 1182).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 411, H. 742, Regular Session 1963 (Acts, 1963, p. 912) is amended to read as follows:

"Section 2. A chairman of the Board shall be elected by the qualified electors of the county at the general election of state and county officers in 1964, and every four years thereafter, and shall hold office for a term of four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. The chairman must possess the same qualifications for office as the general law prescribes for probate judges. He shall be entitled to an annual salary of Nine Thousand Nine Hundred Dollars (\$9,900.00) payable from the county treasury in equal monthly installments, which shall be his entire compensation for performance of the duties of his office and all ex officio duties imposed by law. In addition, he shall be entitled to an allowance for expenses for performing his duties within Escambia County in the amount of Two Thousand Four Hundred Dollars (\$2,400.00) per annum, which shall be payable from the county treasury in equal monthly installments."

Section 2. Section 4 of said Act is amended to read as follows:

"Section 4. The associate members of the Board shall each receive an annual salary of Seven Thousand Five Hundred Dollars (\$7,500.00). The salaries of the associate members of the Board shall be paid in equal monthly

installments from any funds in the county treasury available for that purpose, and shall be their entire compensation for the services required of them by this Act. In addition to his salary, each member of the Board shall also be entitled to an allowance for expenses for performing his duties within Escambia County in the amount of One Thousand Eight Hundred Dollars (\$1,800.00) per annum which shall be payable from the county treasury in equal monthly installments."

Section 3. Sections 1 and 2 of Act #652, S. 736, Regular Session 1969 (Acts, 1969, p. 1182) are amended in so far as the provisions thereof are in conflict with this Act.

Section 4. This Act shall become effective October 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA
ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of May 3, 10, 24, and 31, 1973.

TOM GARDNER.

Subscribed and sworn to before me this 25th day of May, 1973.

ALICE SUMMERVILLE,
Notary Public,
State at Large, Ala.

By Mr. May (With Notice and Proof):

H. 1504. Relating to Escambia County, providing for the payment or reimbursement by said County to the members, including the Chairman of the Escambia County Commission and the Attorney for said County of their actual expenses incurred in the performance of their duties outside the County, including expenses incurred by them in attending conventions of the Alabama Association of County Commissioners and the National Association of County Commissioners, and repealing Act # 193, S. 79, Special Session 1969 (Acts, 1969, p. 255) and repealing Act # 611, H. 1168, Regular Session 1971 (Acts, 1971, p. 611).

Local Legislation No. 1.

Notice and Proof H. 1504:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County, providing for the payment or reimbursement by said County to the members, including the Chairman, of the Escambia County Commission and the Attorney for said County of their actual expenses incurred in the performance of their duties outside the County, including expenses incurred by them in attending conventions of the Alabama Association of County Commissioners and the National Association of County Commissioners, and repealing Act #193, S. 79, Special Session 1969 (Acts, 1969, p. 255) and repealing Act #611, H. 1168, Regular Session 1971 (Acts, 1971, p. 611).

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all salaries, travel and other expenses now provided or allowed by Law to be paid to them, each member, including the Chairman, of the Escambia County Commission and also the Attorney representing said Commission, shall be paid or reimbursed by the County for his actual expenses incurred in the performance of his duties outside the County of his residence, including expenses incurred in attending conventions of the Alabama Association of County Commissions and the National Association of County Commissions. Expenses for attending conventions shall be limited to necessary expenses of travel to and from such persons' home to the place of such convention and to his reasonable expenses actually incurred for maintenance during the time he is participating in such convention.

Section 2. Each member of the Escambia County Commission, including the Chairman, and the Attorney representing the County, shall submit an itemized statement of his expenses to the entire membership of such Commission for its approval. Said statement shall be accompanied by supporting receipts or vouchers, but it shall not be necessary that the statement be sworn to or verified. Such expenses shall be paid out of the County Treasury upon the approval of the Chairman and the entire membership of the Commission upon the warrant of the Chairman that such payment is due.

Section 3. All payments heretofore made by such counties to members of its county governing body as reimbursement for such expenses are hereby validated.

Section 4. Act #193, S. 79, Special Session 1969 (Acts, 1969, p. 255) and Act #611, H. 1168, Regular Session 1971 (Acts, 1971, p. 611) are hereby repealed in their entirety.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a Law.

PROOF OF PUBLICATION

STATE OF ALABAMA
ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published

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in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of May 3, 10, 17, and 24, 1973.

TOM GARDNER.

Subscribed and sworn to before me this 25th day of May, 1973.

ALICE SUMMERVILLE,
Notary Public,
State at Large, Ala.

By Messrs. Collins and Lyons:

H. 1505. Relating to state revenue: To exempt fuel oil purchased for use in chemically converting raw materials prior to their use in an electrolytic or electrothermal process from sales and use taxes.

Ways and Means.

By Messrs. Bank and Parker:

H. 1506. To authorize the State Board of Health to promulgate rules and regulations pertaining to protection against rabies.

Health.

By Mr. Bank:

H. 1507. To amend Code of Alabama 1940, Title 22, Section 110, in relation to fees for protection against rabies.

Health.

By Messrs. Bank, Robertson and Parker:

H. 1508. To amend Code of Alabama 1940, Title 22, Section 112, in relation to impounding of dogs running at large in violation of chapter.

Health.

By Messrs. Wood and Downing:

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Local Legislation No. 3.

By Mr. Timmons:

H. 1510. To provide for arbitration in order to settle disputes between policemen, firefighters and general classified employees and their public employers in any city having a population of 300,000 or more according to the most recent federal decennial census, specifically authorizing collective bargaining between policemen, firefighters and general classified employees and their public employers, and requiring compliance with collective bargaining agreements and findings of arbitrators.

Local Legislation No. 2.

By Mr. Timmons:

H. 1511. To provide for the payment of benefits to employees of any municipality, county or the state who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such municipality, county or the state who are killed in the performance of their official duties.

Ways and Means.

By Mr. Stubbs (With Notice and Proof):

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

Local Legislation No. 1.

Notice and Proof H. 1512:

NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance as distinguished from details of the following:

A BILL TO BE ENTITLED AN ACT

To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Calera, in the County of Shelby, State of Alabama, are, subject to the other provisions hereof, hereby altered and extended so that said boundaries shall include within the corporate limits of said Town all of the following described additional property not presently located in said Town, to-wit:

Said parcels are described as follows:

TRACT ONE

All of Section 2, not in the present town limits, and all of Section 11 west of the west line of U. S. Highway 31; all of Section 8, 9, and 10; all of Section 3 south of the north line of Alabama Highway 25 not in the present town limits; all of Section 4 and 5 south of the north line of Alabama Highway 25; all in Township 24 North, Range 13 East.

TRACT TWO

All of Section 20 south of the south line of County Road 16 and west of the present town limits; all of Section 18 south of the south line of County Road 16; all of Section 19; all in Township 22 South Range 2 West. All of

Section 13 east of the east line of County Road 23 and south of the south line of County Road 16; all of Section 23 and 24 east of the east line of County Road 23; all in Township 22 South, Range 3 West. All of Section 5 and 6 east of the east line of County Road 23 and north of the north line of Alabama Highway 25; all of Section 3 and 4 north of the north line of Alabama Highway 25; all in Township 24 North, Range 13 East.

TRACT THREE

All of section 16 and 9 west of the west line of U.S. Highway 31, and not in the present town limits; all of Section 4 and 5 south of the south line of County Road 84; all of Section 6 south of the south line of County Road 84 and east of the east line of County Road 12; all of Section 8; "all of Section 7 south of the south line of County Road 12;" all of Section 17 not presently in the town limits; all of Section 18 and 20 and not in the present town limits, north of the south line of County Road 16; all in Township 22 South, Range 2 West.

All of Section 13 north of the south line of County Road 16; all of Section 12 between the south line of County Road 12 and the south line of County Road 16; all in Township 22 South, Range 3 West.

TRACT FOUR

All of Section 16, 15 and 9 east of the west line of U.S. Highway 31 and west of the west line of Interstate Highway 65, and not in the present town limits; all of Section 22 south of the south boundary of the Southern Railway line and not in the present town limits; all of Section 14 south of the south boundary of the Southern Railway line and west of the east line of County Road 86; all of Section 23 north of south line of County Road 86 and all of Section 23 north of the north boundary of the Louisville and Nashville Railroad line and west of the east line of County Road 86; all in Township 22 South, Range 2 West. All of Section 1 and 2 north of the north boundary of the Louisville and Nashville Railroad line, and not in the present town limits; all of Section 2, 11 and 12 west of the west line of Interstate Highway 65 and east of the west line of U.S. Highway 31; all in Township 24 North, Range 13 East, and not in the present town limits.

Section 2. Within ten days after the approval of this act by the Governor, or its otherwise becoming a law, the Judge of Probate of Shelby County Alabama, shall make and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said town, said election to be held within forty days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said town favor the annexation to said town of said territory above described. Said Judge shall give notice of the holding of said election by publication in the Shelby County Reporter, a newspaper published in the Town of Columbiana, Alabama, once a week for four weeks preceding the date of said election and also by posting notices at three public places in the part of said territory annexed to said town by this act, which notices shall state the date on which said election is to be held, the voting place or places designated by the Judge of Probate of said county, the boundaries in which voters must reside to vote at the respective voting place or places which must be within the territory annexed to said town by this act, and said notices must give a

description of the territory so annexed, and must state that a map of said territory is on file in the office of the Judge of Probate of said County, open to the inspection of the public.

Section 3. The Judge of Probate of said county must designate at least one place within each tract, and may designate as many places within the territory hereby annexed to said town as he may deem necessary for the convenience of the voters, and must designate the boundaries within which the voters must reside to vote at the respective voting places, and shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby annexed to said town for three months next preceding the election may vote as said election, but must vote at the voting place designated by the Judge of Probate for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act. There shall be no voting by absentee ballot.

Section 6. The Judge of Probate shall furnish ballots for such election with the following words written or printed thereon:

"For annexation," if the voter desires to vote in favor of annexing the territory to the Town, or "Against annexation," if the voter desires to vote against annexing the territory to the Town. It shall not be necessary for the ballot to be of any particular size, form or color, but sufficient ballots shall be provided for the accommodation of all prospective voters at the several voting places.

Section 7. The inspectors at the respective voting places, must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the Judge of Probate, and deliver the same to the returning officer, who must at once return the same to the Judge of Probate, and said Judge must canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election in any tract were "for annexation" said Judge shall make and enter an order on the records of said Probate Court recording such facts, and from the time of the entry of such order this act shall be fully effective as to said tract, and the boundaries of said Town of Calera shall be extended to include said tract or tracts as above set forth. If it appears that a majority of the votes cast at the election in any tract were "against annexation," the Judge of Probate shall make and enter an order on the record of said court recording such fact, and said tract will not be included in the boundaries of said Town.

Section 8. The provisions of this Act are separable as to the different tracts, and the inclusion or exclusion in the town limits of each of the afore-described tracts will be determined by the majority of the votes cast in each of said tracts.

Section 9. The result of such election may be contested by any qualified elector voting at the election under the same provision as are provided by general law for contesting the election of a Justice of the Peace, making the Town the contestee. The Town of Calera shall pay all costs and expenses incident to the election.

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Section 10. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said Town of Calera shall pay all costs and expenses, except in the case of a contest as herein provided.

STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: April 12, 19, 26 and May 3, 1973.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn before me this 4th day of May, 1973.

CONRAD M. FOWLER,
Judge of Probate.

PROOF OF PUBLICATION

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, 14, 21, and 28, all in the year 1973.

MARCIA SEARS.

Sworn to and subscribed before me June 29, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Messrs. Doss, Boutwell, Wallace, Falkenburg, Meeks, Waggoner, McMillan, Hughes, Timmons, Jones (E), Ellis, Dill, Weeks, Gafford and Adwell:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283

of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Local Legislation No. 2.

By Messrs. Boutwell, Wallace, Doss and Bowers (With Notice and Proof):

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Local Legislation No. 2.

Notice and Proof H. 1514.

NOTICE OF INTENTION TO APPLY DURING 1973
REGULAR SESSION OF THE ALABAMA LEGISLATURE
FOR ADOPTION OF A LAW AMENDING SECTION 15 OF
ACT NO. 79 OF SPECIAL SESSION OF 1966

Notice is hereby given that during the Regular Session of the Legislature of Alabama of 1973, application will be made for enactment of a law further amending, as below stated, Section 15 of Act No. 79 of Special Session of 1966 (Ala. Acts, Special Session of 1966, p. 106), as heretofore amended.

The amendment would incorporate all provisions presently in said Section 15 into a subsection which will be designated as (a), and in addition the following sentence will be inserted as the last sentence of subsection (a):

If the committee has not been appointed within thirty days after a district has been abolished any qualified elector residing within the area which comprised the abolished district may request, orally or in writing, the officials empowered to appoint the committee to make the appointments.

Immediately following such subsection (a), the amendment would insert subsection (b), summarized in the sentence next following. Subsection (b) would provide that if after abolishment of a district and before the Committee disposes of the assets of the abolished district a new district is created containing at least 90 percent (90%) of the territory the abolished district contained, then the new district shall receive and own such assets and shall use the same for its benefit. Said subsection (b) will apply to any district abolished before or after the enactment of said subsection (b).

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since

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1918, And that there was published in said newspaper in the issues of May 26, June 2, 9, 16, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 18th day of June, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Drake:

H. 1515. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

Local Government.

By Messrs. Williams and Hobbie:

H. 1516. To authorize, provide for and regulate certain pay raises for employees of the state who do not receive cost of living pay raises hereafter granted to other state employees and to those employees who hereafter do not receive annual raises at the proper time in the then current fiscal year because of lack of funds; to place certain duties relative to such raises on the head of each state department, board, bureau or agency having employees eligible for such raises, on the director of the state personnel department and on the state comptroller; to provide that such raises shall be retroactive and payable in one lump sum; and to make a continuing appropriation out of the general fund for such raises.

Ways and Means.

By Mr. Reid (R):

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

Local Legislation No. 1.

By Mr. Reid (R):

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

Local Legislation No. 1.

By Messrs. Wise and Jackson:

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Local Legislation No. 1.

By Mr. Snell (With Notice and Proof):

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

Local Legislation No. 1.

Notice and Proof H. 1520:

NOTICE

STATE OF ALABAMA CHAMBERS COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Chambers County may use any of the monies in the County General Fund to provide for any health purposes of the county, including health facilities of all kinds, health services, and emergency ambulance services; and the governing body of Chambers County may, at its discretion expend such monies in cooperation with any one or more of the municipalities of the county, or in cooperation with any public or private non-profit hospital corporation or contract with any individuals or company to provide such health services.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA CHAMBERS COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost

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to the State of Alabama, said notice having appeared in the issues of said paper on May 23, 30, June 6, and 13, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me July 12, 1973.

GEORGE A. JACKSON,
Notary Public.

By Mr. Snell (With Notice and Proof):

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Local Legislation No. 1.

Notice and Proof H. 1521:

NOTICE

STATE OF ALABAMA
CHAMBERS COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended is hereby further amended so as to read as follows:

"Section 1. The compensation of the Deputy Solicitor appointed for Chambers County shall be an annual salary of seven thousand two hundred dollars (\$7,200) and shall be payable in equal monthly installments from the county treasury."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
CHAMBERS COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was pub-

lished in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, 30, June 6, and 13, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me July 12, 1973.

GEORGE A. JACKSON,
Notary Public.

By Messrs. Lutz, Grainger, Hearn, King and Hale (With Notice and Proof):

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Local Legislation No. 4.

Notice and Proof H. 1522:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms of tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Be It Enacted by the Legislature of Alabama.

Section 1. There is hereby established in Madison County, Alabama, an intermediate court which shall be known and designated as the General Sessions Court of Madison County, which shall be in lieu of all inferior courts and justices of the peace heretofore existing in Madison County. Said court shall be held in the Madison County Courthouse in places furnished

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and designated by the Madison County Commission. Said court shall have all the powers and jurisdiction heretofore conferred upon any inferior or county courts or justices of the peace in Madison County. And the judges of said court shall have and exercise all the powers and authority and shall perform all the duties prescribed by law for justices of the peace or the judge or judges of any inferior or county courts heretofore existing in Madison County, and said judges shall have all the power and authority over matters transacted in the General Sessions Court of Madison County.

The court now known as the Madison County Court is hereby abolished. All cases pending in the Madison County Court, together with all documents, papers and judgments and orders; of these courts shall be transferred to the General Sessions Court of Madison County created by this Act as if they had begun therein, and all judgments heretofore rendered by the Madison County Court shall be valid and enforceable the same as if they had been rendered by the Court created by this Act, and the Court created by this Act shall have full power, authority and control over the same and may issue execution and other process thereon as if the judgments and orders had been originally rendered in this court.

Section 2. The General Sessions Court shall have and exercise the following jurisdiction, authority and powers in addition to those enumerated above.

(a) The General Sessions Court shall have final jurisdiction, concurrent with the Circuit Court of Madison County, of all misdemeanor offenses committed in Madison County;

(b) The General Sessions Court shall have preliminary jurisdiction in all felony cases arising in Madison County, concurrent with the Circuit Court of said county;

(c) The General Sessions Court shall have final jurisdiction concurrent with the Circuit Court peace proceedings:

(d) The General Sessions Court shall have and exercise jurisdiction in all civil cases at law when the matter or sum in controversy does not exceed three thousand dollars (\$3,000.00).

(e) The General Sessions Court shall have concurrent jurisdiction in non capital felonies with the Circuit Court, for the limited purpose of taking of pleas of guilty and, when it shall be made known to the General Sessions Court that a defendant desires, under the provisions of Constitution of 1901, Amendment XXXVII, to enter a plea of guilty before said court, the judge of said court, or either of them shall be empowered to summon an available court reporter of the Twenty-third Judicial Circuit to record such plea of guilty as before circuit courts, and such plea shall be accepted upon information, and sentence or probation rendered in accordance with the law as if before a circuit court.

Section 3. The General Sessions Court shall not be a court of record, except for the limited purpose of taking pleas of guilty in non capital felony cases, but said court shall have a seal of office. The court shall not draw or impanel juries. When a defendant in a criminal misdemeanor case first appears before the General Sessions Court the court shall advise the defendant of his right to a trial by jury and shall inquire as to whether or not the defendant desires to demand a trial by jury, and if such defendant so demands a

trial by jury his case shall be immediately transferred to the circuit court. In the event the defendant does not demand trial by jury he shall be deemed to have waived the same and thereafter shall, on such charge, be tried without jury, and in the event the case is thereafter appealed or transferred to the circuit court to be tried de novo said trial shall also be without jury.

Section 4. All defendants in civil cases shall be advised by the court of their rights to have the case tried before a jury. In the event that a defendant in any civil case desires to have the case tried before a jury then such defendant shall make demand for trial by jury at the first appearance before the court and failing in that shall be deemed to have waived the right to jury trial, provided he has first been advised of his right to have said case tried by a jury as aforesaid. In the event a defendant demands jury trial the case shall be immediately transferred to the circuit be taxed as a part of the costs in the Circuit Court. The filing of any civil case before the General Sessions Court shall be deemed to be a conclusive waiver of the right to jury trial as to the case so filed by any plaintiff. In the event that both parties waive their rights to jury trial as herein set out then any subsequent appeal or transfer, to the court for trial de novo, shall be to the non-jury division of said court by the Circuit Court without the intervention of a jury.

Section 5. The General Sessions Court shall be empowered to punish for contempt in the same manner and to the same extent as judges of the circuit courts.

Section 6. All rules of practice with reference to process, pleading and practice in the several proceedings in the circuit courts in civil and criminal cases shall be applicable to this court provided the judges of the General Sessions Court are empowered to formulate and institute such different or additional rules as are necessary to the ends of justice and the expeditious disposition of litigation. Summons issued from the court in civil cases may be returnable on a date and time certain, provided that they must be executed at least three days before the return date thereof.

Section 7. Prosecutions for misdemeanors committed in Madison County may be instituted in Madison County by making an affidavit before a judge of said court or such other magistrate as law may designate, the writ on said affidavit to be issued by a judge of said court or issuing magistrate and when the defendant is arrested on said affidavit, the cause shall be docketed for trial and be tried as though the defendant had been indicted by a grand jury. All officers or magistrates having the powers of justices of the peace in Madison County shall have authority to issue warrants returnable to said court, and it shall be their duty in such cases to forthwith transmit the affidavits, warrants and bonds to the clerk of said court, which causes shall be placed upon the docket and tried in the same manner if the same had been returned by indictment of a grand jury.

Section 8. (a) The Supreme Court, the Court of Civil Appeals, and The Court of Criminal Appeals of this state shall have supervisory jurisdiction over this court in the same manner as over circuit courts. The judges of said court may be removed from office in the same manner as is provided for the removal of circuit judges and district attorneys. The Chief Justice of the Supreme Court of Alabama may when he deems proper, by order spread upon the minutes of said court, designate any circuit judge to hold said court, or to try any cause pending in said court.

(b) Vacancies in any office created hereby, unless otherwise provided herein, shall be filled by appointment of the Governor, and persons so appointed shall hold office as required by the Constitution of this state. Provided, however, that any appointment made hereunder by the Governor shall be subject to the provisions of any law or laws which may hereafter be adopted establishing and providing for a Judicial Commission in Madison County.

Section 9. (a) Judges of the General Sessions Court of Madison County shall be elected by the qualified electors of Madison County at the general election of 1978 and every six years thereafter. The term shall be for six years, from the first Monday following the second Tuesday in January following election and until a successor to the office is elected and qualified.

(b) The first judges of the court created hereby shall be the persons holding office as judges of the Madison County Court, and they shall hold office until their successors are elected or appointed and assume office as provided herein. There shall be two judges of the General Sessions Court and the Presiding Judge of the Madison County Court shall become the Presiding Judge of the General Sessions Court until the expiration of his term of office. Thereafter, the judge of the General Sessions Court who has been in office the longer shall preside and if neither has served longer, then the elder judge shall preside, except as otherwise herein provided, it shall be the duty of the Presiding Judge to supervise the administrative functions of the General Sessions Court, but each of the judges of such court shall have authority to direct activities of the General Sessions Court so long as their orders are not in direct conflict.

(c) The judges of the General Sessions Court shall receive an annual salary equal to ninety percent of the total annual compensation paid, by both the State of Alabama and Madison County, to circuit judges in Madison County and said relationship of salaries shall be maintained at all future times. Said salary shall be paid in equal monthly installments from the general fund of Madison County, Alabama, upon warrants drawn by the judges of said court.

The general funds of Madison County shall be liable to pay the reasonable and necessary expenses of the judges of this court incurred in or about the performance of their duties as judges. Such expenses shall include but shall not be limited to: professional association dues, expenses or travel and lodging to and from professional conferences and seminars, and registration fees at such conferences.

(d) Any judge of said court shall be a qualified elector of Madison County, shall be licensed to practice law in the State of Alabama, shall be of the age of 25 years or over, and shall not engage in the practice of law while in office. In addition to the other powers herein provided, the judges of said court shall have the power and authority of magistrates under the laws of the State of Alabama.

(e) The judges of this court shall keep offices in the Courthouse of Madison County, and it shall be the duty of the Madison County Commission of Madison County, Alabama, to provide such offices, and supply the same with necessary furnishings, fixtures, stationery and supplies.

(f) Each judge of the General Sessions Court shall be empowered to appoint a secretary and a bailiff who shall serve at the pleasure of the judge so appointing them. Such secretaries and bailiffs shall be subject to all laws,

regulations and procedures pertaining to the Madison County Personnel Board. The Bailiffs so appointed shall be compensated from the general funds of Madison County guidelines of the Madison County Personnel Board, provided however, that the bailiffs of the General Sessions Court shall receive the same compensation as bailiffs of the circuit court of the twenty-third judicial circuit.

Section 10. The Presiding Judge of the General Sessions Court shall appoint a qualified person to serve in the office of Clerk of the General Sessions Court. Said clerk shall serve at the pleasure of the Presiding Judge of said court and shall have the powers and discharge the duties which devolve upon clerks of the circuit courts, except in equity cases, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall keep and maintain a seal of said court. Such clerk shall be empowered to collect for the General Sessions Court all fees presently or thereafter provided for courts of limited jurisdiction or county courts. Said clerk shall have the authority to appoint clerical personnel in the same numbers and compensated in the same amounts as those provided for the Madison County Court, and he shall supervise such personnel in the performance of their duties. The compensation of the Clerk of the General Sessions Court shall be the same as that of the Register of the Circuit Court in Madison County.

Section 11. All laws pertaining to costs and fees in cases in the Madison County court as provided by the laws of this state shall be applicable to this court.

Section 12. All laws heretofore enacted pertaining to the destruction of records of the Madison County Court shall apply in the Court of General Sessions.

Section 13. The sheriff of Madison County shall be an officer of said court, and shall execute all processes from said court and make due return thereon, and all processes issued out of said court shall be addressed to any officer of Madison County, Alabama. Whenever requested to do so by either judge, the sheriff or his deputy shall serve all processes of said court, receiving the legal fees therefor for his services.

Section 14. All parties against whom judgments have been rendered shall have ten days within which to effect appeals to the circuit court, where, except as herein provided, trial may be had as though the case had been originally brought in the circuit court. In all civil cases of judgment by default the judge may at his discretion set aside judgment when requested to do so by the defendant within five days after such judgment is rendered. In civil cases when an execution has been issued within twelve months after the rendition of judgment and has not been returned satisfied, an alias execution may be issued thereon at any time within ten years from date of such judgment without a revival of the judgment. When a certificate of judgment has been filed in the office of the probate judge within twelve months from the date of its rendition, execution may issue thereon at any time within ten years from the date of such judgment, whether execution has been previously issued or not, and such recorded judgment shall be a lien on the property of the defendant as provided by law in circuit courts. In all suits brought for minors by their friends in which judgments are obtained and the money or property paid or delivered into court, the said money or property may be paid or delivered to the next friend bringing the suit to be for the use and benefit of the minor,

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and the said next friend is authorized to receipt the court record or docket for same, which shall be binding on said minor.

Section 15. All laws, local or general, in conflict with the provisions of this Act are, in so far as they conflict with the provisions of this Act, hereby repealed.

Section 16. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 12, 19, 26, and July 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 3rd day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Lyons, Callahan, Perloff, Downing, Roberts, Nettles, Wood and Collins (With Notice and Proof):

H. 1523. To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

Local Legislation No. 3.

Notice and Proof H. 1523:

LEGAL NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission of Mobile County is authorized to make appropriations from the General Fund of the County for the support and operation of Senior Citizens Services, Inc., a corporation incorporated under the Alabama Nonprofit Corporations Act, whose sole purpose is to provide, on a nondiscriminatory basis, services which are in the best interest of and beneficial to the citizens of Mobile County, especially those of age 55 and older. Such appropriations may be made in such amounts and on such schedule of payments as the County Commission shall in its discretion determine.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 20, 27, July 4, and 11, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 12th day of July, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Reed (T):

H. 1524. To require a safety inspection of used cars by the Department of Public Safety before they may be sold by used car merchants; to authorize the department to adopt necessary rules to carry out the purposes of this act.

Judiciary.

By Messrs. Taylor, Barron and Hobbie:

H. 1525. To provide for supernumerary sheriffs in the various counties in the State of Alabama having a population of not less than 150,000 and not more than 180,000 according to the last Federal Decennial Census, setting up the requirements and qualifications, fixing their compensation, status and tenure of office, and providing for the payment of their salaries.

Local Legislation No. 4.

By Mr. Therrell:

H. 1526. Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

Local Legislation No. 3.

By Messrs. Hearn, Grainger, King, Hale and Lutz (With Notice and Proof):

H. 1527. Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by

whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Local Legislation No. 4.

Notice and Proof H. 1527:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission, or other like governing body of Madison County, Alabama, is hereby authorized, following the passage of an appropriate resolution by said body, to designate a centralized storage area for the storage of any, all, or any part of, any records, documents, plats, court files, books, maps, papers, writings or drawings of any type, by whatever name called, which may be of record in any county or state office housed in the Madison County Courthouse, or any annex thereof.

Section 2. Such a centralized storage area shall be located in Madison County, Alabama, and shall contain a vault and other necessary furnishings and equipment and shall be so housed and equipped as to properly provide for the storage of all documents which may be located therein.

Section 3. The Madison County Commission is hereby authorized and empowered to contract and employ, at a salary to be set by the Commission in accordance with the pay plan promulgated by the Madison County Commission and County Personnel Board, any and all employees which it may deem necessary to properly carry out the function of operating such a centralized storage area, which shall include, but not be limited to, authority to employ secretaries, janitors, watchmen, and clerical employees. All compen-

sation paid to any employees hired pursuant to this Act shall be paid out of the General Fund of Madison County by proper warrants issued by the county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 17, 24, 31, and June 7, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 7th day of June, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. King, Grainger, Hale, Hearn and Lutz (With Notice and Proof):

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

Local Legislation No. 4.

Notice and Proof H. 1528:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

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A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeat conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission is hereby authorized and empowered, upon the request of the president of the jury commission of Madison County to provide clerical and administrative assistance for the commission, where it may deem same necessary and advisable, as well as providing all supplies of any sort or type which the jury commission may request to carry out its duties, functions and obligations.

Section 2. The Madison County Commission is hereby authorized and empowered to draw its warrant on the County Treasury for the payment of any salaries, compensation or for any of the things or items purchased or provided by the jury commission under Section 1 of this Act.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 17, 24, 31, and June 7, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 7th day of June, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Lutz, Hearn, Grainger and King (With Notice and Proof):

H. 1529. To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Local Legislation No. 4.

Notice and Proof H. 1529:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chairman of the Madison County Commission, or other like governing body of Madison County, is hereby authorized to and may issue official proclamations.

Section 2. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 17, 24, 31, and June 7, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 7th day of June, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Stubbs and Lyons:

H. 1530. To amend Section 3 of Act No. 96, H. 17, approved 1971, Special Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

Ways and Means.

By Messrs. King, Grainger, Hale, Hearn and Lutz (With Notice and Proof):

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Local Legislation No. 4.

Notice and Proof H. 1531:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 464, H. 1033, approved November 13, 1959, is hereby amended to read:

"Section 8. The governing body of Madison County is hereby authorized to establish a reproduction department for Madison County and to employ a records custodian who shall be chosen by the chairman of the Madison County governing body which custodian shall have charge of all reproduction work including microphotographing and who shall have custody of all records placed for storage outside the Madison County Courthouse. The records custodian is hereby charged with the responsibility of aiding the public officers in maintaining and preserving the records in the custody of said public officials, Madison County is authorized to expend from its General Fund all monies necessary for supplies and equipment with which to operate said department including salaries for the personnel.

The governing body of Madison County shall also enter into such contracts as are necessary in order to provide for the storage and safekeeping of a copy of each photograph or microphotograph made of any county records at some place outside the boundaries of Madison County."

Section 2. All laws or parts of laws, general, local or special, which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 17, 24, 31, and June 7, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 7th day of June, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Parker and Bank:

H. 1532. To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Local Legislation No. 1.

By Mr. Lyons:

H. 1533. To amend Act No. 769, H. 702 of the Regular Session of 1971, an Act which provides for the regulation, control, abatement and prevention of air pollution in the State of Alabama and, among other things, created and established the Alabama Air Pollution Control Commission, so as to provide further for the enforcement of the law by authorizing the Commission to employ attorneys or legal counsel, as well as to utilize the services of the Attorney General's office in enforcing the provisions of the Act.

State Administration.

By Mr. Lyons:

H. 1534. To amend Act No. 1260, S. 79, Regular Session of 1971, an Act entitled "An Act To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for the enforcement of the Act and rules, regulations and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended," so as to provide further for legal counsel for the enforcement of the provisions of this Act.

State Administration.

By Mr. Adwell:

H. 1535. Requiring all wholesalers or distributors of gasoline, diesel fuel or other related products to offer such products for sale to independent dealers in the same quantity purchased by such dealer for a given period of the preceding year.

State Administration.

By Messrs. Hobbie and Smith (P):

H. 1536. To regulate the sale of livestock at public livestock auction markets by providing for the collection and deposit of monies received from sales of livestock to assure prompt payment for livestock sold; to authorize the adoption of rules and regulations to effectuate the purpose of this Act; to provide a penalty for violations of this Act; and to repeal conflicting laws.

Agriculture.

By Messrs. McCorquodale and Agee:

H. 1537. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal decennial census; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Local Legislation No. 1.

By Mr. Meeks:

H. 1538. To declare the public policy of Alabama relative to the prevalent practice in the construction industry of causing contractors by contract to assume practically unlimited liability for personal injury or property damage by declaring certain of such contracts to be against public policy and void and others to be valid, thus placing responsibility for injury or damage where it properly belongs, on the person who has been negligent or his principal or the person having control or the right of control over such negligent person while relieving contractors not having such control or right of control from liability for the negligence, regardless of any promises of indemnification.

Judiciary.

By Messrs. Jackson, Coshatt, Crowe, Gafford, Owens, Lang, Hardin, Agee, Collins, Headley, Williams, Wise, Connell, Turner, Bassett, Kinsey, McCorquodale, Wood, Callahan, Cottingham, Edwards, Easters, Stubbs, Grey (D), Reid (R), Waldrop, Merrill, Burgess, Wynot, Stewart, Benton and Boles:

H. 1539. To create within the State Department of Education a division to be known as the Junior College Division; to divert the responsibility for the coordination, management, and control of public junior colleges now vested in the higher education branch of the division of vocational education to a separate division for junior colleges; to establish a position of Junior College Division Director; and to set standards of qualifications for persons to be considered for the position of Director.

Education.

By Messrs. Drake, St. John and Smith (P):

H. 1540. To further amend Section 1 of Act 384, Regular Session 1965, (Acts 1965, p. 517), to levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

Agriculture.

By Messrs. Drake, St. John and Smith (P):

H. 1541. To further amend Section 1 of Act 383, H. 57, Regular Session 1965, (Acts 1965, p. 516), relating to the tax levied on farm machinery and equipment sold for agricultural purposes.

Agriculture.

By Mr. Hobbie:

H. 1542. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation to be known as State Building Authority; to provide the procedure for incorporation, to designate the members, directors, and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration, and equipment of public office buildings and facilities or buildings for parking motor vehicles and the acquisition of sites therefor, or the acquisition of such office buildings and parking facilities or buildings by lease-purchase agreement, the power of eminent domain, and the power to sell and issue not exceeding \$ _____ principal amount of bonds for such purposes; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made for rental of its properties and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment by the Authority of office buildings and parking

facilities or buildings or the acquisition by the Authority of such buildings and parking facilities by lease-purchase agreement; to authorize the conveyance to said Authority of lands owned by the State; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and to private parties, of space in said office building or buildings and said parking facilities and buildings; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; and to provide for dissolution of said Authority and conveyance of its assets and properties to the State upon payment of said bonds and upon full performance or termination of all lease-purchase agreements.

Ways and Means.

By Mr. Flippo:

H. 1543. Relating to income tax deductions to individual taxpayers for certain medical expenses, further amending Act No. 693, H. 658, Regular Session 1947 (General Acts 1947, p. 527) as amended; providing for retroactive effect.

Ways and Means.

By Mr. Flippo:

H. 1544. To amend further Code of Alabama 1940, Title 51, Section 388, as amended, which relates to exemptions from the State income tax on individuals, so as to provide additional personal exemptions to persons 65 years old or over and to blind persons and to increase the personal exemption for dependents; and to provide that this act shall be given retroactive effect to December 31, 1972.

Ways and Means.

By Mr. Flippo:

H. 1545. To regulate further credits allowed corporations when computing income for state income tax purposes, for such purpose amending Code of Alabama 1940, Title 51, Section 405, so as to provide for and regulate an investment credit for corporations.

Ways and Means.

By Mr. Flippo:

H. 1546. Regulating further credits to individuals under the Alabama income tax law; providing for investment credits to any individual reporting income from property, a business, profession or occupation in connection with which he makes investments in depreciable property.

Ways and Means.

By Mr. Flippo:

H. 1547. Relating to state income tax; providing an additional deduction when computing net income for income tax purposes; specifically allowing and regulating amounts which may be deducted for dependent care services necessary for gainful employment of taxpayers; and providing for retroactive effect.

Ways and Means.

By Messrs. Carnes, Waldrop and Wynot:

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

Local Legislation No. 1.

By Messrs. Hardin and Bassett:

H. 1549. To further amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), as amended, relating to the Alabama Historical Commission by increasing the Commission membership.

State Administration.

By Messrs. Burgess, Wynot, Stewart, Coshatt, Wallace, Lang, Grey (D), Doss, O'Daniel, Goodwin, Waldrop, Williams, Cauthen, Slate, Hill, Dill, Cross, Porter, Chesnut, Naramore, Boles, McMillan, Timmons, Hughes, Waggoner, Barkett, Robertson, St. John, Culver, Callahan, Drake, Merrill, Gray (F), Fite, King, Hearn, Pruitt, Cottingham, Turner, Wood, Jones (F), Mims, Hobbie, McNair, Warren, Harris, Taylor, Barron, Kinsey, May, Hardin, Bassett, Nettles, Therrell, Downing, Carnes, Roberts, Stokes, Jackson, Wise, Connell, Crawford, Reed (T), Easters, Boutwell, Smith (P), McCluskey, Edwards, Casey, Snell, Adams, Headley, Stubbs, Lyons, Parker, Lutz, Grainger, Carter, Bank, Ellis, Hale, Weeks, Crowe, Flippo, Mathews and McCorquodale:

H. 1550. To amend and re-enact Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115), which provides that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, so as to include officers of the State Department of Conservation and Natural Resources within the provisions of said Act.

Public Welfare.

By Messrs. Grainger, Lutz, Hern, King and Hale (With Notice and Proof):

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, term, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Local Legislation No. 4.

Notice and Proof H. 1551:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, term, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission, or other like governing body, may, as hereinafter provided, create and establish a county computer department. Said county computer department is hereinafter referred to in this Act as the department.

Section 2. The words "computer equipment" as used in this Act shall be defined to mean any mechanical equipment, by whatever name called, whether it be a brand name, trade name, nickname or common name, as may be purchased, leased or otherwise obtained by the Madison County Commission or other governing body and assigned to such department.

Section 3. If the county commission, or other like governing body, elects to create and establish the department as provided for in this Act, it shall appoint a director of the department who shall hold office at the pleasure of the appointing body and any vacancy in the office of the director of said department, because of death, resignation or otherwise, shall be filled by a majority vote of the appointing body.

Section 4. The salary of the director of the department shall be fixed by the county commission, or other like governing body of the county, and shall be payable in equal monthly installments out of the General Fund of the county by warrant properly drawn on said fund. The director of the department shall be a county officer, shall have an official seal of office and shall maintain his permanent office in the county courthouse of the county, or any annex thereof or other place designated in said county by the county governing body.

Section 5. Suitable office space, and all stationery, equipment, supplies and postage necessary for the conduct of the office, shall be furnished by the governing body of the county to the director of the department.

Section 6. The director of the department may also appoint a sufficient number of clerks, including a chief clerk, and assistants, so that the duties of the office can be properly performed. Their compensation shall be fixed by the county governing body in accordance with the pay plan promul-

gated by the Madison County Commission and County Personnel Board and shall be paid out of the General Fund of the county in the same manner as the salaries of other county employees are paid.

Section 7. It shall be the duty of the director of the department to do all work for the county on computer equipment which may be assigned to him by the county governing body for any county office, department, agency or board, by whatever named called, or any other office in the county courthouse as it may be directed to do by the county governing body, and to do any related work for all those agencies, boards, departments or offices as hereinabove referred to, as may be requested, which can be done or accomplished on computer equipment.

Section 8. It is the intent and purpose of this Act to provide a more convenient and efficient method of handling and dealing with the voluminous amount of work done by various county departments, agencies, boards and offices, which must be done or can be more efficiently done on or by computer equipment, hereinabove defined, so as to render better service to the people of said county.

Section 9. The provisions of this Act shall immediately apply and become effective in Madison County upon adoption by the county commission or other like governing body of the county of a resolution whereby it elects to come within the provisions of this Act; provided, however, that said governing body may, if it deems it advisable for the purpose of properly establishing said department and allowing the personnel to plan and become familiar with the work and equipment thereof, expend such funds as are necessary to set up said department and pay the director and personnel during said period but delay the actual date when said department is officially put into operation within the county to perform the duties and exercise the powers herein provided.

Section 10. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 17, 24, 31, and June 7, 1973.

W. C. LEWIS,
Secretary-Treasurer.

REGULAR SESSION
19th Day

1635

Sworn to and subscribed before me this the 7th day of June, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Mr. Snell:

H. 1552. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the most recent federal decennial census, providing that any bank having an authorized office or place of business in the county may establish, maintain and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Local Legislation No. 1.

By Messrs. Robertson, Bank and Parker:

H. 1553. To prohibit the denial of claims for payment of dental work under the provisions of medical, hospital, or hospital and medical service plans and contracts, when prior medical approval or authorization for such dental work has not been obtained, or medical x-rays have not been taken.

Health.

By Mr. Robertson (With Notice and Proof):

H. 1554. Relating to Tuscaloosa County; to prohibit any hospital that receives any public monies from charging a fee for parking on their grounds.

Local Legislation No. 1.

Notice and Proof H. 1554:

LEGAL NOTICE

Notice is hereby given, pursuant to Section 106 of the Constitution of Alabama 1901, that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; to prohibit any hospital that receives any public monies from charging a fee for parking on their grounds.

Be It Enacted by the Legislature of Alabama.

Section 1. No hospital in Tuscaloosa County that is receiving or has received any public monies, federal, state or local, shall make any charge for parking on property owned or leased by them.

Section 2. Any citizen of Tuscaloosa County may secure an injunction to prohibit the charging of any fee prohibited by the provisions of this Act.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5 and July 12, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 12, 1973.

LaJUNE BURNETT,
Notary Public.

By Messrs. Robertson and Bank (With Notice and Proof):

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Local Legislation No. 1.

Notice and Proof H. 1555:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of promoting industry and trade and to assist the county commission or other like governing bodies in Tuscaloosa County in their pursuits therefor, there is hereby created an Industrial Development Authority for Tuscaloosa County which shall be composed of twenty (20) members. All members of the Authority shall be residents and qualified electors of Tuscaloosa County. Two of the members of the Authority shall be appointed by the probate judge of the county. Two of the members shall be

appointed by each of the three members of the county governing body. Seven of the members of the Authority shall be appointed by the city commission of the City of Tuscaloosa from the members of the industrial development board of the City of Tuscaloosa. Three of the members of the Authority shall be appointed by the council of the City of Northport from the members of the industrial development board of the City of Northport. Two of the members of the Authority shall be appointed by the city council of Vance from the members of the industrial development board of Vance. The members appointed by the probate judge shall serve six-year terms concurrent with the term of the probate judge. Other members of the Authority shall serve for terms of four years each concurrent with the terms of the appointing authority. Successors to members of the board shall be appointed in the same manner as the original members are appointed and all members shall serve until their successors are so appointed. Vacancies on the board shall be filled by the appointing authority making the original appointment, but any person appointed to fill a vacancy shall serve only for the unexpired portion of the term.

Section 2. The Authority shall hold an organizational meeting within thirty days after the appointment of all its members and shall elect a Chairman and Vice Chairman from among its members. Such officers shall serve for such term as the Authority by rule or regulation may prescribe. After the organizational meeting, the Authority shall meet at the time and place designated in the call. The Chairman or a majority of its members may call a meeting of the Authority, and at least four meetings shall be held annually. The Chairman shall preside at each meeting of the Authority. In his absence, the Vice Chairman shall preside. A majority of the members of the Authority shall constitute a quorum. Members of the Authority shall receive no compensation for their services, but they shall be entitled to reimbursement for their actual and necessary expense incurred in the performance of their official duties.

Section 3. Upon the organization of the Industrial Development Authority of Tuscaloosa County said Authority shall be constituted an instrumentality for the exercise of public and essential governmental functions and the exercise of the powers conferred by this act, and the development of the county shall be deemed to be an essential governmental function of the county.

Section 4. The Authority may employ a Director, who shall be its chief administrative officer and serve as secretary to the Authority. The Authority shall fix the salary of the Director who shall serve at its pleasure. The Director shall have authority to employ clerical and other assistants subject to the approval of the Authority. The Authority may require the Director to be bonded for the faithful performance of his duties before he enters upon the discharge thereof.

Section 5. The Authority or its agents and employees may (a) investigate, study and engage in basic research relative to the natural resources of land, water, minerals, and people in the county and apply its findings in efforts to promote a sound and balanced agricultural, industrial and economic development of the county; (b) cooperate with municipal, regional, state or federal planning or other industrial development authorities; (c) publicize and advertise the industrial, commercial and agricultural resources and opportunities in the county; (d) collect, compile and distribute literature concerning the facilities, advantages and attractions of the county, the education-

al, historic, recreational and scenic places of interest within the county and the air, water and highway transportation facilities; (e) contract with other agencies, individuals or corporations to promote the purposes of this act, and expressly to contract with any municipality in the county, not having an industrial development board, to act as the development agency for such municipality, and as such agency to exercise all powers granted to municipal development agencies under the general laws of the state; (f) enter upon any land in the county, with consent of the owner, and make examinations and surveys and place and maintain necessary monuments and markings thereon; (g) accept gifts, grants, bequests or devises; (h) acquire land for industrial park development and construct buildings for lease, for industrial development only; and (i) issue bonds and incur debt for the purposes of carrying out the function of industrial development of Tuscaloosa County.

Section 6. The Authority may establish and maintain an office at some suitable place within the county, and the cost of securing, furnishing, equipping, lighting, heating and maintaining such office shall be a lawful charge against any funds appropriated for the use of the Authority.

Section 7. The county governing body of Tuscaloosa County shall annually, before the end of the county's fiscal year, fix the amount to be expended by the Industrial Development Authority herein created, and shall deposit such amount as it determines to be necessary for the efficient operation of the Authority in a special fund in the county treasury to the credit of said Authority. All other funds otherwise coming into the hands of said Authority shall likewise be deposited in said fund. The ordinary and necessary operating expenses of the Authority, including the expenses of its members and the salaries and expenses of employees of the Authority shall be paid out of Authority funds.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws in conflict with this act are repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1973.

KARL ELEBASH, JR.

REGULAR SESSION
19th Day

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Sworn to and subscribed before me July 13, 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Robertson (With Notice and Proof) :

H. 1556. To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Local Legislation No. 1.

Notice and Proof H. 1556:

LEGAL NOTICE

Notice is hereby given, pursuant to Section 106 of the Constitution of Alabama 1901, that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as heretofore amended, is hereby amended further to read as follows:

"Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the following respective meanings:

"The words 'the state' mean the State of Alabama.

"The words 'the county' mean Tuscaloosa County in the state.

"The words 'the city' mean the City of Tuscaloosa in the state.

"The words 'the county board of education' mean the board of education of Tuscaloosa County, Alabama.

"The words 'the city board of education' mean the board of education of the City of Tuscaloosa, Alabama.

"The words 'the hospital boards' mean the Druid City Hospital Board created by Act No. 540 adopted at the 1947 Regular Session of the Legislature of Alabama, approved October 8, 1947, and the Northport Medical Clinic Board, established for the Peoples Hospital, Inc.

"The words 'the tax board' mean the Tuscaloosa County Special Tax Board created in Section 9 of this Act.

"The words 'state sales tax statutes' mean the provisions of Act No. 100, adopted at the Special Session of the Legislature of Alabama, which convened on June 24, 1959, as amended and supplemented before March 2, 1967.

"The words 'state use tax statutes' mean the provisions of Article 11 of Chapter 20, Title 51, Code of Alabama of 1941, as amended and supplemented before March 2, 1967.

"The words 'quarterly period' mean each period of three calendar months commencing on each January 1, April 1, July 1, and October 1.

"Pronouns include all genders.

"Those of the words and phrases used in Section 3 of this act that are defined in the state sales tax statutes shall have the meanings respectively given them in the state sales tax statutes. Those of the words and phrases used in Section 4 of this act that are defined in the state use tax statutes shall have the meaning respectively given them in the state use tax statutes."

Section 2. Section 11 of Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as heretofore amended, is hereby further amended to read as follows:

"Section 11. Disposition of Revenues. Any and all expenses including (but without limitation to) salaries, office rent, and other expenses that may be necessary to provide for the collection and distribution of the taxes herein levied as may be authorized or approved by the tax board, shall be deducted by the tax board and paid out of the proceeds from said collections before any distribution of said proceeds. After deduction of said expenses, the tax board shall distribute the remaining proceeds from the said taxes as follows:

"(a) Thirty-two and one-half per cent (32½%) of said proceeds remaining shall be paid to the City of Tuscaloosa for general municipal purposes;

"(b) Five per cent (5%) of said proceeds remaining shall be paid to the City of Northport for general municipal purposes;

"(c) Twelve and one-half per cent (12½%) of said proceeds remaining shall be paid to Tuscaloosa County for general county purposes;

"(d) Ten per cent (10%) of said proceeds remaining shall be paid to the hospital boards, prorated between them in direct proportion to the number of beds, excluding those used for psychiatric care, in the hospital facilities operated thereby. The hospital boards shall use the said proceeds solely to defray all or a part of the costs of any hospital operated by the hospital boards for hospital services furnished to charity patients who are residents of the county, including any municipality therein;

"(e) Twenty per cent (20%) of said proceeds remaining shall be paid to the county board of education, which shall use said proceeds solely for public school purposes in the county, including (but without limitation to) payment of any warrants, notes and other obligations of the county board of education which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or Constructing school houses and related buildings necessary or convenient for public school

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purposes, and equipping, furnishing, maintaining, repairing or replacing any such buildings and acquiring sites therefor;

“(f) Twenty per cent (20%) of said proceeds remaining shall be paid to the city, which shall use said proceeds solely for public school purposes in the city, including (but without limitation to) payment of any bonds, warrants, notes and other obligations of the city which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such buildings and acquiring sites therefor.

The proceeds for which distribution is provided in subsections (a), (b), (c), (d), (e), and (f), of this section shall be paid over to the beneficiaries thereof, respectively, on or before the tenth day of the calendar month next succeeding the calendar month in which said proceeds shall have been received by the tax board. The tax board is hereby authorized to retain on hand at all times as a revolving or contingent fund for payment of its expenses, as provided for in Section 9 (c) of this act, such amount of said tax proceeds as it deems expedient; provided, that as disbursements are made from said revolving or contingent fund the tax board shall have the power, immediately or at such times as it deems convenient, to restore the moneys so disbursed out of the proceeds from the taxes herein levied; and provided, further that the said revolving or contingent fund shall not at any time exceed ten per cent (10%) of the collections made under this act during the then preceding calendar month.

Section 3. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 12, 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Robertson (With Notice and Proof):

H. 1557. To amend further Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), an Act levying additional privilege or license taxes in

Tuscaloosa County, so as to exempt tangible personal property purchased outside this county from the use tax levy.

Ways and Means.

Notice and Proof H. 1557:

LEGAL NOTICE

STATE OF ALABAMA TUSCALOOSA COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 56, H. 285, Regular Session 1953 (acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to exempt tangible personal property purchased outside this county from the use tax levy.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of said Act No. 56 of 1953 is hereby amended to read as follows:

“Section 4. Levy of Use Tax.

“(a) An excise tax is hereby imposed on the storage, use or other consumption in the county of tangible personal property purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of two per cent (2%) of the sale price of such property, except as provided in subsections (b) and (c) of this section.

“(b) An excise tax is hereby imposed on the storage, use or other consumption in the county of any automotive vehicle or truck trailer and semi-trailer purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of such automotive vehicle, truck trailer or semi-trailer.

“(c) The storage, use or other consumption in the county of tangible personal property purchased at retail from a retailer who is not engaged in business in the county on or after the effective date of this amendatory act is hereby exempted from the excise tax imposed by subsections (a) and (b) of this section.

“Every person storing, using or otherwise consuming in the county tangible personal property purchased at retail, except as exempted by subsection (c) of this section, shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the county, showing that the property in question was purchased at retail from such retailer and the tax levied in Section 3 hereof has been paid with respect to the purchase at retail of such property shall be sufficient to relieve the

purchaser from further liability for a tax under this section with respect to the use, storage, or consumption of such property. Each exemption provided for in the state use tax statutes as amended by Act No. 99 of the 1959 Special Session of the Legislature of Alabama, approved August 18, 1959, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state use tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. All provisions and procedures with respect to the filing of returns, collections and payment of taxes, keeping of records, making of reports, determination of the amount of the tax due, penalties, assessments, notices, examinations of taxpayers and their books provided in the state use tax statutes, as hereafter amended, with respect to the tax levied in those statutes shall be applicable to the tax levied in this section excepting, however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided, however, that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state use tax statutes shall be deemed to apply, with respect to the tax levied in this section to the tax board."

Section 2. This act shall become effective on the first day of the first calendar month next following the date of its enactment.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, 22, 29, and July 6, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 6, 1973.

LAJUNE BURNETT,
Notary Public.

By Mr. Turnham:

H. 1558. To authorize the Alabama Public School and College Authority to sell and issue \$5,475,000 aggregate principal amount of additional bonds for capital improvements for Auburn University, and more particularly to modernize the Agricultural Experiment Station by relocating and developing modern new field research facilities for the Main Station and certain facilities at certain outlying stations, to provide a base for a major expansion in

agriculture and forestry; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary fund; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Ways and Means.

By Mr. Turnham:

H. 1559. Proposing an amendment to the Constitution of Alabama relating to ad valorem taxes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Turnham, Drake, Fite, Mims, McCorquodale, Crawford, Bank, Grainger and Williams:

H. 1560. To further amend Section 1 and Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resales, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

Ways and Means.

By Messrs. Perloff, Casey, Carnes, Slate and Bowers:

H. 1561. To regulate further the sale, issuance, and redemption of trading stamps in the State of Alabama; and to prescribe the power, duties, and authority of the Commissioner of Revenue in the administration and enforcement of the Act.

Judiciary.

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By Messrs. Perloff, Casey, Carnes, Slate and Bowers:

H. 1562. To provide further for the registration and regulation of trading stamp companies, making provisions for licensing, examination and auditing of such businesses, and prescribing certain requisites and conditions for doing or continuing in such business in Alabama.

Judiciary.

RESOLUTION

The following resolution was introduced:

By Mr. Reed (T):

H. J. R. 147. DESIGNATING MACON COUNTY ROAD AS GEORGE WASHINGTON CARVER DRIVE.

WHEREAS George Washington Carver was born of slave parentage, near Diamond Grove, Missouri, and through the diligent pursuit of knowledge became an internationally known chemurgist and agricultural experimenter. Eager for education, he worked his way through school and college. He used his keen mind to earn a Master of Science degree from Iowa State College where he worked as a botanist until 1896 when he went to Tuskegee Institute in Tuskegee, Alabama; and

WHEREAS he devoted his life and his resources to agricultural research for the betterment of the South and the United States. Persuading farmers to diversify their crops by planting soil enriching peanuts and sweet potatoes instead of soil exhausting cotton, Dr. Carver next solved the problem of finding new uses for these products which had become over-abundant as foodstuff. From the peanut he made cheese, milk, coffee, flour, ink, dyes, soap, wood stains and insulating board, to list a few of his 300 products. From the sweet potato came flour, vinegar, molasses, and rubber. Years before plastics from wood wastes were first attempted, he was making synthetic marble from wood shaving. In 1923 he was awarded the Spingarn Medal and in 1939, the Roosevelt Medal; and

WHEREAS George Washington Carver reflects much credit to Tuskegee Institute and Macon County, Alabama and is held in high esteem all over the world; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Macon County Highway 51, presently known as Pleasant Springs Drive, which runs between U. S. Highway 80 and Interstate Highway 85 is hereby designated "The George Washington Carver Drive".

BE IT FURTHER RESOLVED, That the State Highway Department be instructed to erect appropriate markers or signs along said highway to indicate the designation thereof.

The resolution, H. J. R. 147, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill , to-wit:

H. 384. To permit banks now or hereafter situated in Bibb County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Lyons:

H. J. R. 148. WHEREAS, Research and technology are vital components in economic, social, and governmental progress, and

WHEREAS, State government must exercise initiative and leadership in the utilization of research and application of technology for the benefit of the public, and

WHEREAS, The Council of State Governments and National Legislative Conference have encouraged State Legislatures to test programs which promise a more effective application of public technology to critical needs of State governments, and

WHEREAS, The Legislature recognizes the need for better and more complete information in areas of science and technology, and

NOW THEREFORE, BE IT RESOLVED, That the Legislature expresses its appreciation to Auburn University for its efforts to study this problem and to develop, with the cooperation and participation of other institutions and organizations, an experimental public technology program from which experience may be gained for possible eventual permanent assistance of this nature in a form which best serves the needs of the Alabama Legislature and the State, and

FURTHER, BE IT RESOLVED, That the Legislature offers its whole-hearted cooperation in this effort.

The resolution, H. J. R. 148, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. King, Hearn, Lütz and Hale:

H. R. 149. COMMENDING THE HUNTSVILLE TIMES FOR BEING SELECTED TO RECEIVE THE DISTINGUISHED SERVICE AWARD OF THE ALABAMA HISTORICAL COMMISSION

WHEREAS, The Huntsville Times has been selected to receive the Distinguished Service Award presented by the Alabama Historical Commission, and

WHEREAS, this Award is the highest citation of the Alabama Historical Commission, and

WHEREAS, this Award is being presented for Outstanding Achievements in historic preservation, and

WHEREAS, the Huntsville Times was one of a few chosen from more than one hundred and three nominations (103),

NOW THEREFORE BE IT RESOLVED, by the Alabama House of Representatives, that we do commend the Huntsville Times Organization and employees for this Outstanding Achievement,

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mr. Leroy A. Simms, Editor of the Huntsville Times.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. R. 149, on the Clerk's desk for one legislative day.

BILLS ON THIRD READING

And the bill:

H. 1240. To repeal Act No. 1177, H. 2219, Regular Session 1971 (Acts 1971, p. 2033), entitled "An Act Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to the most recent federal decennial census," and to provide that the Superintendent of Education in such counties shall henceforth be elected as was provided for by law before the enactment of said Act No. 1177.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles

Boutwell
Bowers
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins

Connell
Coshatt
Cottingham
Crawford
Cross
Crowe
Culver
Dill
Doss
Downing

Drake
Easters
Edwards
Ellis
Erdrich
Falkenburg
Fite
Flippo
Goodwin
Grainger

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Gray (F)	Lutz	Perloff	Stubbs
Grey (D)	McCluskey	Porter	Taylor
Hale	McCorquodale	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Mathews	Roberts	Waggoner
Hearn	May	Robertson	Waldrop
Hill	Meeks	St. John	Wallace
Hobbie	Merrill	Slate	Warren
Hughes	Mims	Smith (K)	Weeks
Jackson	Namamore	Smith (P)	Williams
Jones (F)	O'Daniel	Snell	Wise
King	Owens	Stewart	Wood
Kinsey	Parker	Stokes	Wynot
Lang			

—97

And the bill:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flipppo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Namamore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Was taken up.

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H. 955 POSTPONED

On motion of Mr. Crowe, the bill, H. 955, was postponed to the twentieth legislative day.

And the bill:

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Was taken up.

H. 1275 POSTPONED

On motion of Mr. Hardin, the bill, H. 1275, was postponed to the twenty-fourth legislative day.

And the bill:

H. 1303. Relating to Walker County; to provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1323. Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Carter	Drake	Headley
Adams	Casey	Easters	Hearn
Adwell	Cauthen	Edwards	Hill
Agee	Chesnut	Ellis	Hobbie
Bank	Collins	Erdreich	Hughes
Barkett	Connell	Falkenburg	Jackson
Barron	Coshatt	Fite	Jones (F)
Bassett	Cottingham	Flippo	King
Benton	Crawford	Goodwin	Kinsey
Boles	Cross	Grainger	Lang
Boutwell	Crowe	Gray (F)	Lutz
Bowers	Culver	Grey (D)	McCluskey
Burgess	Dill	Hale	McCorquodale
Callahan	Doss	Hardin	McMillan
Carnes	Downing	Harris	McNair

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Mathews	Porter	Smith (P)	Waggoner
May	Pruitt	Snell	Waldrop
Meeks	Reed (T)	Stewart	Wallace
Merrill	Reid (R)	Stokes	Warren
Mims	Roberts	Stubbs	Weeks
Naramore	Robertson	Taylor	Williams
O'Daniel	St. John	Therrell	Wise
Owens	Slate	Timmons	Wood
Parker	Smith (K)	Turner	Wynot
Perloff			

—97

And the bill:

H. 1324. Relating to Butler County; providing the members of the Butler County Commission with an additional per diem expense allowance.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1328. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties

certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flipppo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds

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and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Mathews
Adams	Coshatt	Grey (D)	May
Adwell	Cottingham	Hale	Meeks
Agee	Crawford	Hardin	Merrill
Bank	Cross	Harris	Mims
Barkett	Crowe	Headley	Naramore
Barron	Culver	Hearn	O'Daniel
Bassett	Dill	Hill	Owens
Benton	Doss	Hobbie	Parker
Boles	Downing	Hughes	Perloff
Boutwell	Drake	Jackson	Porter
Bowers	Easters	Jones (F)	Pruitt
Burgess	Edwards	King	Reed (T)
Callahan	Ellis	Kinsey	Reid (R)
Carnes	Erdreich	Lang	Roberts
Carter	Falkenburg	Lutz	Robertson
Casey	Fite	McCluskey	St. John
Cauthen	Flippo	McCorquodale	Slate
Chesnut	Goodwin	McMillan	Smith (K)
Collins	Grainger	McNair	Smith (P)

Snell
Stewart
Stokes
Stubbs
Taylor

Therrell
Timmons
Turner
Waggoner

Waldrop
Wallace
Warren
Weeks

Williams
Wise
Wood
Wynot

—97

And the bill:

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford
Cross

Crowe
Culver
Dill
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Goodwin
Grainger
Gray (F)
Gray (D)
Hale
Hardin
Harris
Headley
Hearn
Hill
Hobbie

Hughes
Jackson
Jones (F)
King
Kinsey
Lang
Lutz
McCluskey
McCorquodale
McMillan
McNair
Mathews
May
Meeks
Merrill
Mims
Naramore
O'Daniel
Owens
Parker
Perloff
Porter
Pruitt
Reed (T)

Reid (R)
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Waggoner
Waldrop
Wallace
Warren
Weeks
Williams
Wise
Wood
Wynot

—97

And the bill:

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

Was taken up.

Mr. Drake offered the following amendment to the bill:

In Section 1, in the first sentence in the paragraph beginning with the words and figures "Section 3," delete the following words and figures:

"through the year 1974"

and insert in lieu thereof the following:

until the year 1974.

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1655

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill, H. 1348, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Dill
Adams	Boutwell	Collins	Doss
Adwell	Bowers	Connell	Downing
Agee	Burgess	Coshatt	Drake
Bank	Callahan	Cottingham	Easters
Barkett	Carnes	Crawford	Edwards
Barron	Carter	Cross	Ellis
Bassett	Casey	Crowe	Erdreich
Benton	Cauthen	Culver	Falkenburg

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Fite	King	Owens	Stokes
Flippo	Kinsey	Parker	Stubbs
Goodwin	Lang	Perloff	Taylor
Grainger	Lutz	Porter	Therrell
Gray (F)	McCluskey	Pruitt	Timmons
Grey (D)	McCorquodale	Reed (T)	Turner
Hale	McMillan	Reid (R)	Waggoner
Hardin	McNair	Roberts	Waldrop
Harris	Mathews	Robertson	Wallace
Headley	May	St. John	Warren
Hearn	Meeks	Slate	Weeks
Hill	Merrill	Smith (K)	Williams
Hobbie	Mims	Smith (P)	Wise
Hughes	Naramore	Snell	Wood
Jackson	O'Daniel	Stewart	Wynot
Jones (F)			

—97

And the bill:

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1362. Applying to Cullman County; to increase the expense allowance of certain county officers.

Was taken up.

Mr. Drake offered the following amendment to the bill:

In Section 1 delete the following words and figures:

"Each member of the Cullman County Commission on Education. . . . \$240"

Also, at the end of Section 1 insert the following:

Section 2. Each member of the Cullman County Commission on Education shall be entitled to receive an annual expense allowance of \$240, which shall be in addition to any other salary, compensation or allowances now received by such member, payable in twelve monthly installments out of the public school funds of the county.

Also, renumber the last section, Section 3.

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flipppo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill, H. 1362, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Benton	Casey	Cross
Adams	Boles	Cauthen	Crowe
Adwell	Boutwell	Chesnut	Culver
Agee	Bowers	Collins	Dill
Bank	Burgess	Connell	Doss
Barkett	Callahan	Coshatt	Downing
Barron	Carnes	Cottingham	Drake
Bassett	Carter	Crawford	Easters

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Edwards	Hughes	Naramore	Stewart
Ellis	Jackson	O'Daniel	Stokes
Erdreich	Jones (F)	Owens	Stubbs
Falkenburg	King	Parker	Taylor
Fite	Kinsey	Perloff	Therrell
Flippo	Lang	Porter	Timmons
Goodwin	Lutz	Pruitt	Turner
Grainger	McCluskey	Reed (T)	Waggoner
Gray (F)	McCorquodale	Reid (R)	Waldrop
Grey (D)	McMillan	Roberts	Wallace
Hale	McNair	Robertson	Warren
Hardin	Mathews	St. John	Weeks
Harris	May	Slate	Williams
Headley	Meeks	Smith (K)	Wise
Hearn	Merrill	Smith (P)	Wood
Hill	Mims	Snell	Wynot
Hobbie			

—97

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Drake moved to reconsider the vote by which the bill, H. 1354, was passed, and the motion was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

Was again taken up.

Mr. Drake offered the following amendment to the bill:

At the end of Section 1 insert the following:

Section 2. This Act shall not authorize, empower, nor require the governing body of Cullman County to provide equipment, clerks, deputies, assistants, or any other allowances for the sheriff's office in Cullman County, nor shall any provision of this Act apply to the sheriff's office of Cullman County.

Also, renumber the remaining sections.

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill, H. 1354, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Drake
Adams	Bowers	Coshatt	Easters
Adwell	Burgess	Cottingham	Edwards
Agee	Callahan	Crawford	Ellis
Bank	Carnes	Cross	Erdreich
Barkett	Carter	Crowe	Falkenburg
Barron	Casey	Culver	Fite
Bassett	Cauthen	Dill	Flippo
Benton	Chesnut	Doss	Goodwin
Boles	Collins	Downing	Grainger

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Gray (F)	Lutz	Perloff	Stubbs
Grey (D)	McCluskey	Porter	Taylor
Hale	McCorquodale	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Mathews	Roberts	Waggoner
Hearn	May	Robertson	Waldrop
Hill	Meeks	St. John	Wallace
Hobbie	Merrill	Slate	Warren
Hughes	Mims	Smith (K)	Weeks
Jackson	Naramore	Smith (P)	Williams
Jones (F)	O'Daniel	Snell	Wise
King	Owens	Stewart	Wood
Kinsey	Parker	Stokes	Wynot
Lang			

—97

And the bill:

H. 1366. Relating to Pickens County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

H. 1361 RE-REFERRED

On motion of Mr. Robertson to re-refer, the Speaker re-referred the bill, H. 1361, from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

And the bill:

H. 1368. To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1396. To authorize establishment of branch banks in the City of Pell City in St. Clair County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Dill
Adams	Boutwell	Collins	Doss
Adwell	Bowers	Connell	Downing
Agee	Burgess	Coshatt	Drake
Bank	Callahan	Cottingham	Easters
Barkett	Carnes	Crawford	Edwards
Barron	Carter	Cross	Ellis
Bassett	Casey	Crowe	Erdreich
Benton	Cauthen	Culver	Falkenburg

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Fite	King	Owens	Stokes
Flippo	Kinsey	Parker	Stubbs
Goodwin	Lang	Perloff	Taylor
Grainger	Lutz	Porter	Therrell
Gray (F)	McCluskey	Pruitt	Timmons
Grey (D)	McCorquodale	Reed (T)	Turner
Hale	McMillan	Reid (R)	Waggoner
Hardin	McNair	Roberts	Waldrop
Harris	Mathews	Robertson	Wallace
Headley	May	St. John	Warren
Hearn	Meeks	Slate	Weeks
Hill	Merrill	Smith (K)	Williams
Hobbie	Mims	Smith (P)	Wise
Hughes	Naramore	Snell	Wood
Jackson	O'Daniel	Stewart	Wynot
Jones (F)			

—97

And the bill:

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1399. To amend Section 9 of Act no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate

members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Gray (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Was taken up.

H. 1400 POSTPONED

On motion of Mr. Coshatt, the bill, H. 1400, was postponed to the twenty-first legislative day.

And the bill:

H. 1402. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

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Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Casey	Edwards	Hobbie
Adams	Cauthen	Ellis	Hughes
Adwell	Chesnut	Erdreich	Jackson
Agee	Collins	Falkenburg	Jones (F)
Bank	Connell	Fite	King
Barkett	Coshatt	Flippo	Kinsey
Barron	Cottingham	Goodwin	Lang
Bassett	Crawford	Grainger	Lutz
Benton	Cross	Gray (F)	McCluskey
Boles	Crowe	Grey (D)	McCorquodale
Boutwell	Culver	Hale	McMillan
Bowers	Dill	Hardin	McNair
Burgess	Doss	Harris	Mathews
Callahan	Downing	Headley	May
Carnes	Drake	Hearn	Meeks
Carter	Easters	Hill	Merrill

Mims	Reid (R)	Stewart	Waldrop
Naramore	Roberts	Stokes	Wallace
O'Daniel	Robertson	Stubbs	Warren
Owens	St. John	Taylor	Weeks
Parker	Slate	Therrell	Williams
Perloff	Smith (K)	Timmons	Wise
Porter	Smith (P)	Turner	Wood
Pruitt	Snell	Waggoner	Wynot
Reed (T)			

—97

And the bill:

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Dill	Jackson	Roberts
Adwell	Doss	Jones (F)	Robertson
Agee	Downing	King	St. John
Bank	Drake	Kinsey	Slate
Barkett	Easters	Lang	Smith (K)
Barron	Edwards	Lutz	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	O'Daniel	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford		Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1066. (With Amendments): To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Was taken up.

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The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1066 by striking Section 6, (1) (a) (iii) page 12, in its entirety.

And the amendment #1 was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1066 by striking in Section 6 (2) (a), page 13, the following language:

“in the case of a new member”

and further, by adding after the words “. . . or age Fifty in the case of a prior member . . .” the words

“or new member”

And the amendment #2 was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Burgess
Adams	Barkett	Boles	Callahan
Adwell	Barron	Boutwell	Carnes
Agee	Bassett	Bowers	Carter

Casey	Flippo	McCorquodale	Slate
Cauthen	Goodwin	McMillan	Smith (K)
Chesnut	Grainger	McNair	Smith (P)
Collins	Gray (F)	Mathews	Snell
Connell	Grey (D)	May	Stewart
Coshatt	Hale	Meeks	Stokes
Cottingham	Hardin	Merrill	Stubbs
Crawford	Harris	Mims	Taylor
Cross	Headley	Naramore	Therrell
Crowe	Hearn	O'Daniel	Timmons
Culver	Hill	Owens	Turner
Dill	Hobbie	Parker	Waggoner
Doss	Hughes	Perloff	Waldrop
Downing	Jackson	Porter	Wallace
Drake	Jones (F)	Pruitt	Warren
Easters	King	Reed (T)	Weeks
Edwards	Kinsey	Reid (R)	Williams
Ellis	Lang	Roberts	Wise
Erdreich	Lutz	Robertson	Wood
Falkenburg	McCluskey	St. John	Wynot
Fite			

—97

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1066, Section 6, (5) (a), page 15, by striking, after the words "If such member or former member dies prior to his normal retirement date, the survivor allowance shall . . ." The following words:

"be deferred to commence on said date"

and insert in lieu thereof the following word:

"commence"

And the amendment #3 was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwin	McCorquodale
Adams	Connell	Grainger	McMillan
Adwell	Coshatt	Gray (F)	McNair
Agee	Cottingham	Grey (D)	Mathews
Bank	Crawford	Hale	May
Barkett	Cross	Hardin	Meeks
Barron	Crowe	Harris	Merrill
Bassett	Culver	Headley	Mims
Benton	Dill	Hearn	Naramore
Boles	Doss	Hill	O'Daniel
Boutwell	Downing	Hobbie	Owens
Bowers	Drake	Hughes	Parker
Burgess	Easters	Jackson	Perloff
Callahan	Edwards	Jones (F)	Porter
Carnes	Ellis	King	Pruitt
Carter	Erdreich	Kinsey	Reed (T)
Casey	Falkenburg	Lang	Reid (R)
Cauthen	Fite	Lutz	Roberts
Chesnut	Flippo	McCluskey	Robertson

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St. John	Stokes	Turner	Weeks
Slate	Stubbs	Waggoner	Williams
Smith (K)	Taylor	Waldrop	Wise
Smith (P)	Therrell	Wallace	Wood
Snell	Timmons	Warren	Wynot
Stewart			

—97

The question was then on the adoption of the amendment #4 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1066, Section 8, page 28, by adding thereto as subsection (7), the following:

“(7) The County Commission shall furnish a copy of a complete audit prepared by a certified public accountant to each department head by the end of each October of each year. Said audit shall reflect all funds paid into the retirement system by each employee, the amounts matched by the County, the interest received during the past fiscal year on all funds on deposit, securities, bonds, obligations and any other funds or monies paid into the retirement system, list all expenditures from the retirement system, list all expenditures from the retirement system during the preceeding fiscal year. The expense of the audit shall be paid from the retirement system.”

And the amendment #4 was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

The question was then on the adoption of the amendment #5 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1066, Section 11, by striking therefrom the following words:

“ . . . shall be fined not to exceed One Hundred Dollars, or imprisoned in the Montgomery County Jail not to exceed six months, or both.”

and substitute therefor the following:

“ . . . shall upon conviction be guilty of a felony and fined not to exceed Five Hundred Dollars, or imprisoned in the penitentiary not less than one nor more than five years, or both.”

And the amendment #5 was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill, H. 1066 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Drake
Adams	Bowers	Coshatt	Easters
Adwell	Burgess	Cottingham	Edwards
Agee	Callahan	Crawford	Ellis
Bank	Carnes	Cross	Erdreich
Barkett	Carter	Crowe	Falkenburg
Barron	Casey	Culver	Fite
Bassett	Cauthen	Dill	Flippo
Benton	Chesnut	Doss	Goodwin
Boles	Collins	Downing	Grainger

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Gray (F)	Lutz	Perloff	Stubbs
Grey (D)	McCluskey	Porter	Taylor
Hale	McCorquodale	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Mathews	Roberts	Waggoner
Hearn	May	Robertson	Waldrop
Hill	Meeks	St. John	Wallace
Hobbie	Merrill	Slate	Warren
Hughes	Mims	Smith (K)	Weeks
Jackson	Namore	Smith (P)	Williams
Jones (F)	O'Daniel	Snell	Wise
King	Owens	Stewart	Wood
Kinsey	Parker	Stokes	Wynot
Lang			

—97

And the bill:

H. 1407. Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Namore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 949. To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for

said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1256. To alter and rearrange the boundary lines of the city of Atmore, Alabama, so as to include within the corporate limits of said city all territories now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous to said city.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Ellis
Adams	Burgess	Crawford	Erdreich
Adwell	Callahan	Cross	Falkenburg
Agee	Carnes	Crowe	Fite
Bank	Carter	Culver	Flippo
Barkett	Casey	Dill	Goodwin
Barron	Cauthen	Doss	Grainger
Bassett	Chesnut	Downing	Gray (F)
Benton	Collins	Drake	Grey (D)
Boles	Connell	Easters	Hale
Boutwell	Coshatt	Edwards	Hardin

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Harris	McMillan	Pruitt	Taylor
Headley	McNair	Reed (T)	Therrell
Hearn	Mathews	Reid (R)	Timmons
Hill	May	Roberts	Turner
Hobbie	Meeks	Robertson	Waggoner
Hughes	Merrill	St. John	Waldrop
Jackson	Mims	Slate	Wallace
Jones (F)	Naramore	Smith (K)	Warren
King	O'Daniel	Smith (P)	Weeks
Kinsey	Owens	Snell	Williams
Lang	Parker	Stewart	Wise
Lutz	Perloff	Stokes	Wood
McCluskey	Porter	Stubbs	Wynot
McCorquodale			

—97

And the bill:

H. 1293. To Alter or rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill:

H. 1292. (With Amendment): Relating to all counties with a population of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing further for the distribution of fines

and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Strike out in its entirety Section 2 and renumber the following sections accordingly.

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Gray (D)	Naramore	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot
Cross			

—97

And the bill, H. 1292 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Drake
Adams	Bowers	Coshatt	Easters
Adwell	Burgess	Cottingham	Edwards
Agee	Callahan	Crawford	Ellis
Bank	Carnes	Cross	Erdreich
Barkett	Carter	Crowe	Falkenburg
Barron	Casey	Culver	Fite
Bassett	Cauthen	Dill	Flippo
Benton	Chesnut	Doss	Goodwin
Boles	Collins	Downing	Grainger

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Gray (F)	Lutz	Perloff	Stubbs
Grey (D)	McCluskey	Porter	Taylor
Hale	McCorquodale	Pruitt	Therrell
Hardin	McMillan	Reed (T)	Timmons
Harris	McNair	Reid (R)	Turner
Headley	Mathews	Roberts	Waggoner
Hearn	May	Robertson	Waldrop
Hill	Meeks	St. John	Wallace
Hobbie	Merrill	Slate	Warren
Hughes	Mims	Smith (K)	Weeks
Jackson	Naramore	Smith (P)	Williams
Jones (F)	O'Daniel	Snell	Wise
King	Owens	Stewart	Wood
Kinsey	Parker	Stokes	Wynot
Lang			

—97

BILLS RE-REFERRED

On motion of Mr. Grey (D) to re-refer, the Speaker re-referred the bills, H. 1115 and H. 1116, from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. May moved to reconsider the vote by which the bill, H. 1292 was amended, was passed, and the motion was adopted.

And the bill:

H. 1292. Relating to all counties with a population of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Was again taken up.

H. 1292 POSTPONED

On motion of Mr. May, the bill, H. 1292 as amended, was postponed to the twenty-first legislative day.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Gafford voting "Yea" on all local bills.

UNFINISHED BUSINESS

The House then proceeded with the consideration of the unfinished business.

And the bill:

H. 749. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1972, approved September 20, 1972, which act establishes a Uniform Standards Code for the construction of Mobile Homes to be sold within this

state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

Having been amended on the eighteenth legislative day, was taken up.

Mr. Cauthen offered the following substitute amendment for the amendment to the bill, H. 749, offered by him on the eighteenth legislative day:

Section 1. Amend Section E of H. B. 749 by striking the words and symbols "\$25,000.00" and by substituting in lieu thereof the symbols and figures "\$50,000.00"

Section 2. Amend Section E of H. B. 749 by adding at the end thereof the following:

"The bonds described in this and the immediately preceding subparagraph shall be issued for the express purpose of protection of the public including any person who is injured or damaged, in person or property, including loss of life, as a result of the manufacture or sale of a mobile home in violation of this Act."

And the substitute amendment was lost.

Yeas 17; Nays 56.

Yeas:

Messrs.:	Cauthen	Downing	McMillan
Barron	Chesnut	Erdreich	Porter
Benton	Coshatt	Gray (F)	Slate
Boles	Cottingham	Hobbie	Stewart
Carnes	Doss		

—17

Nays:

Mr. Speaker	Culver	Harris	Pruitt
Agee	Dill	Headley	Reid (R)
Bank	Drake	Hill	Robertson
Barkett	Easters	Hughes	St. John
Bassett	Edwards	Jackson	Stokes
Boutwell	Ellis	King	Stubbs
Bowers	Fite	Kinsey	Taylor
Burgess	Flippo	Lutz	Therrell
Callahan	Gafford	May	Timmons
Carter	Goodwin	Meeks	Turner
Connell	Grainger	Merrill	Waggoner
Crawford	Grey (D)	Naramore	Weeks
Cross	Hale	Nettles	Wood
Crowe	Hardin	Parker	Wynot

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AMENDMENT TABLED

On motion of Mr. Cauthen, the amendment offered by him on the eighteenth legislative day to the bill, H. 749 as amended, was tabled.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Callahan
Agee	Barron	Bowers	Carnes
Bank	Boles	Burgess	Carter

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Casey	Falkenburg	Lutz	Slate
Cauthen	Fite	McCluskey	Smith (K)
Chesnut	Flippo	McMillan	Snell
Connell	Gafford	May	Stewart
Coshatt	Goodwin	Meeks	Stokes
Cottingham	Grainger	Merrill	Stubbs
Crawford	Gray (F)	Mims	Taylor
Cross	Grey (D)	Naramore	Therrell
Crowe	Hale	Nettles	Timmons
Culver	Harris	O'Daniel	Turner
Dill	Headley	Parker	Waggoner
Doss	Hearn	Porter	Waldrop
Downing	Hill	Pruitt	Wallace
Drake	Hobbie	Reed (T)	Warren
Easters	Hughes	Reid (R)	Weeks
Edwards	Jackson	Roberts	Williams
Ellis	King	Robertson	Wood
Erdreich	Kinsey	St. John	Wynot

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And the bill, H. 749 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 5.

Yeas:

Messrs.:	Crowe	King	Robertson
Adams	Culver	Kinsey	St. John
Agee	Dill	Lutz	Slate
Bank	Doss	McCorquodale	Smith (P)
Barkett	Drake	McMillan	Snell
Barron	Easters	Mathews	Stewart
Benton	Edwards	May	Stubbs
Boles	Ellis	Meeks	Taylor
Boutwell	Erdreich	Merrill	Therrell
Bowers	Falkenburg	Mims	Timmons
Burgess	Fite	Naramore	Turner
Callahan	Gafford	Nettles	Waggoner
Carnes	Goodwin	O'Daniel	Waldrop
Carter	Grainger	Parker	Wallace
Casey	Grey (D)	Porter	Warren
Cauthen	Hale	Pruitt	Weeks
Chesnut	Headley	Reed (T)	Williams
Connell	Hearn	Reid (R)	Wood
Cottingham	Hobbie	Roberts	Wynot
Cross	Hughes		

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Nays:

Messrs.:	Downing	Smith (K)	Stokes
Crawford	McCluskey		

—5

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to bring up out of order the bill, H. 251, was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Barkett	Benton	Burgess
Adams	Barron	Boles	Carnes
Agee	Bassett	Boutwell	Carter

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Chesnut	Goodwin	McCorquodale	Stokes
Collins	Grainger	McMillan	Stubbs
Connell	Gray (F)	Mathews	Taylor
Coshatt	Grey (D)	May	Therrell
Cottingham	Hale	Mims	Timmons
Crawford	Hardin	O'Daniel	Turner
Cross	Harris	Parker	Turnham
Crowe	Headley	Perloff	Waggoner
Doss	Hearn	Porter	Waldrop
Downing	Hill	Reed (T)	Wallace
Drake	Hobbie	Reid (R)	Warren
Easters	Hughes	Roberts	Weeks
Edwards	Jackson	Robertson	Williams
Ellis	Kinsey	St. John	Wise
Erdreich	Lang	Slate	Wood
Falkenburg	Lutz	Snell	Wynot
Fite	McCluskey	Stewart	

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And the bill:

H. 251. To make an appropriation to the Department of Public Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Roberts
Adams	Downing	Jones (F)	Robertson
Agee	Drake	King	St. John
Barkett	Easters	Kinsey	Slate
Barron	Edwards	Lang	Smith (P)
Bassett	Ellis	Lutz	Stewart
Benton	Erdreich	McCluskey	Stokes
Boles	Falkenburg	McCorquodale	Stubbs
Boutwell	Fite	McMillan	Taylor
Burgess	Flippo	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Cauthen	Gray (F)	Merrill	Turnham
Chesnut	Grey (D)	Mims	Waggoner
Collins	Hale	O'Daniel	Waldrop
Connell	Hardin	Owens	Wallace
Coshatt	Harris	Parker	Warren
Cottingham	Headley	Perloff	Weeks
Crawford	Hearn	Porter	Williams
Cross	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood
Dill	Hughes	Reid (R)	Wynot

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BILLS ON THIRD READING RESUMED

And the bill:

H. 845. Relating to the Fifteenth Judicial Circuit; to provide for additional Circuit Judge in such Circuit; defining his jurisdiction, powers, right

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and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Was taken up.

Messrs. Harris, Taylor, Jones (F) and Barron offered the following amendment #1 to the bill:

Strike out Section 1 and substitute in lieu thereof the following words and figures:

Section 1. There is hereby created on and after February 15, 1974, an additional judgeship for the Fifteenth Judicial Circuit, which shall be designated Judgeship Number 4. The additional judge shall be appointed for the circuit by the Governor, and shall hold office from February 15, 1974, until his successor is elected and qualified at the next general election for any state office. The judge so elected shall hold office until the next general election for circuit judges. At the first general election for circuit judges held after the election of the first judge to fill the judgeship hereby created and every six years thereafter, a judge shall be elected to fill such judgeship at the same election as other circuit judges of the Fifteenth Judicial Circuit.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	St. John
Adams	Crowe	Jones (F)	Slate
Agee	Dill	King	Smith (P)
Barkett	Doss	Lang	Snell
Barron	Downing	Lutz	Stewart
Bassett	Drake	McMillan	Stokes
Benton	Easters	May	Stubbs
Boles	Ellis	Meeks	Taylor
Boutwell	Erdreich	Merrill	Therrell
Bowers	Fite	Mims	Timmons
Burgess	Flippo	Naramore	Turner
Carnes	Goodwin	Nettles	Turnham
Carter	Grainger	O'Daniel	Waldrop
Casey	Gray (F)	Parker	Wallace
Cauthen	Grey (D)	Porter	Weeks
Chesnut	Harris	Pruitt	Williams
Connell	Headley	Reed (T)	Wise
Coshatt	Hill	Reid (R)	Wynot
Cottingham	Hobbie	Robertson	

—75

Messrs. Harris, Taylor, Jones (F) and Barron offered the following amendment #2 to the bill, H. 845 as amended:

Strike out Section 7 and substitute in lieu thereof the following words and figures:

Section 7. This Act shall become effective on February 15, 1974, upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the amendment #2 was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Robertson
Adams	Dill	King	St. John
Agee	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (P)
Barron	Easters	McCluskey	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boles	Falkenburg	May	Taylor
Boutwell	Fite	Meeks	Therrell
Bowers	Flippo	Merrill	Timmons
Burgess	Goodwin	Mims	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Gray (F)	Nettles	Waldrop
Casey	Gray (D)	O'Daniel	Wallace
Cauthen	Harris	Parker	Weeks
Chesnut	Headley	Porter	Williams
Connell	Hill	Pruitt	Wise
Coshatt	Hobbie	Reed (T)	Wood
Cottingham	Hughes	Reid (R)	Wynot
Cross			

—77

And the bill, H. 845 as thus amended was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker	Ellis	Lutz	St. John
Adams	Erdreich	McCluskey	Slate
Barron	Falkenburg	McMillan	Smith (K)
Benton	Fite	McNair	Smith (P)
Boles	Flippo	Mathews	Snell
Boutwell	Gafford	May	Stewart
Burgess	Goodwin	Meeks	Stokes
Carnes	Grainger	Merrill	Stubbs
Casey	Gray (F)	Naramore	Taylor
Cauthen	Gray (D)	Nettles	Therrell
Chesnut	Hale	O'Daniel	Timmons
Coshatt	Harris	Owens	Turner
Cottingham	Headley	Parker	Turnham
Crowe	Hill	Perloff	Waggoner
Culver	Hobbie	Porter	Wallace
Dill	Hughes	Pruitt	Weeks
Doss	Jones (F)	Reed (T)	Williams
Downing	King	Reid (R)	Wood
Drake	Lang	Robertson	Wynot
Easters			

—77

Nays: Messrs. Hardin and Wise.

—2

And the bill:

H. 602. To amend Section 9 of Act No. 2052 of the 1971 Legislature of Alabama so as to limit the liability of buyers of used goods valued at \$3000 or less.

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As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 5.

Yeas:

Messrs.:	Downing	King	Smith (K)
Adams	Drake	Kinsey	Stewart
Barron	Ellis	Lutz	Stubbs
Bassett	Erdreich	McMillan	Taylor
Benton	Falkenburg	McNair	Therrell
Boles	Fite	Meeks	Timmons
Burgess	Flippo	Merrill	Turner
Callahan	Goodwin	Mims	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Casey	Grey (D)	O'Daniel	Wallace
Connell	Hale	Owens	Warren
Coshatt	Harris	Pruitt	Weeks
Cottingham	Headley	Reed (T)	Williams
Cross	Hill	Reid (R)	Wise
Culver	Hobbie	Robertson	Wood
Dill	Hughes	St. John	Wynot
Doss	Jones (F)	Slate	—70

Nays:

Messrs.:	McCluskey	Porter	Snell
Cauthen	Perloff		—5

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Drake, the rules were suspended in order to bring up out of order the bill, H. 245.

Yeas 52; Nays 10.

Yeas:

Mr. Speaker	Culver	Jones (F)	Slate
Adams	Doss	Kinsey	Smith (K)
Adwell	Downing	Lang	Stewart
Barkett	Drake	McMillan	Stokes
Boles	Easters	Mathews	Stubbs
Boutwell	Ellis	Mims	Therrell
Burgess	Falkenburg	Naramore	Turner
Callahan	Fite	Owens	Wallace
Carnes	Grey (D)	Parker	Warren
Carter	Hale	Pruitt	Weeks
Connell	Headley	Reed (T)	Williams
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Robertson	Wynot
			—52

Nays:

Messrs.:	Dill	McNair	Porter
Barron	Edwards	Nettles	Waldrop
Crawford	Hill	Perloff	—10

And the bill:

H. 245. Relating to the Thirty-Second Judicial Circuit; providing for an additional circuit judge in such circuit.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Dill	Lang	St. John
Adwell	Doss	Lutz	Slate
Barkett	Downing	McCluskey	Smith (K)
Barron	Drake	McCorquodale	Smith (P)
Bassett	Easters	McMillan	Snell
Benton	Ellis	McNair	Stewart
Boles	Erdreich	Mathews	Stokes
Boutwell	Falkenburg	Meeks	Stubbs
Burgess	Fite	Merrill	Taylor
Callahan	Gafford	Mims	Therrell
Carnes	Goodwin	Naramore	Timmons
Carter	Grainger	Nettles	Turner
Casey	Grey (D)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Harris	Parker	Wallace
Connell	Headley	Perloff	Warren
Coshatt	Hill	Porter	Weeks
Cottingham	Hobbie	Pruitt	Williams
Crawford	Hughes	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wynot
Crowe	King		

—86

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCorquodale, the rules were suspended in order to bring up out of order the bill, H. 835.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hughes	Reid (R)
Adams	Cross	Jackson	Robertson
Adwell	Culver	Jones (F)	St. John
Barkett	Doss	Kinsey	Slate
Barron	Downing	Lang	Smith (K)
Bassett	Easters	Lutz	Stewart
Benton	Edwards	McCorquodale	Stokes
Boles	Ellis	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Burgess	Flipppo	Mathews	Therrell
Callahan	Goodwin	Meeks	Turner
Carnes	Grey (D)	Mims	Waggoner
Carter	Hale	Naramore	Wallace
Casey	Hardin	O'Daniel	Warren
Cauthen	Harris	Owens	Weeks
Chesnut	Headley	Parker	Williams
Connell	Hill	Pruitt	Wise
Coshatt	Hobbie	Reed (T)	Wynot
Cottingham			

—73

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And the bill:

H. 835. To make a supplemental appropriation to the Agricultural Center Board for the Livestock Coliseum for the fiscal year ending September 30, 1973.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reid (R)
Adams	Culver	Jones (F)	St. John
Adwell	Dill	King	Slate
Agee	Doss	Kinsey	Smith (K)
Barkett	Downing	Lang	Smith (P)
Barron	Drake	Lutz	Snell
Bassett	Easters	McCluskey	Stewart
Benton	Edwards	McCorquodale	Stokes
Boles	Ellis	McMillan	Taylor
Boutwell	Erdreich	McNair	Therrell
Burgess	Fite	Mathews	Timmons
Callahan	Gafford	Meeks	Turner
Carnes	Goodwin	Merrill	Waggoner
Carter	Grainger	Mims	Waldrop
Casey	Grey (D)	Naramore	Wallace
Cauthen	Hale	O'Daniel	Warren
Chesnut	Hardin	Owens	Weeks
Connell	Harris	Parker	Williams
Coshatt	Headley	Porter	Wise
Cottingham	Hill	Pruitt	Wynot
Crawford	Hobbie	Reed (T)	

—83

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Falkenburg, the rules were suspended in order to bring up out of order the bill, H. 147.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Naramore
Adams	Coshatt	Hale	O'Daniel
Adwell	Cottingham	Harris	Owens
Barkett	Crawford	Headley	Parker
Barron	Cross	Hill	Pruitt
Bassett	Culver	Hobbie	Reed (T)
Benton	Dill	Hughes	Reid (R)
Boles	Doss	Jackson	Robertson
Boutwell	Downing	Jones (F)	St. John
Bowers	Drake	King	Slate
Burgess	Easters	Kinsey	Smith (K)
Callahan	Ellis	Lang	Stewart
Carnes	Erdreich	McMillan	Stokes
Carter	Falkenburg	McNair	Stubbs
Casey	Fite	Meeks	Taylor
Cauthen	Gafford	Merrill	Therrell
Chesnut	Goodwin	Mims	Timmons

Turner
Turnham
Waggoner

Wallace
Warren

Weeks
Williams

Wise
Wynot

—77

And the bill:

H. 147. To provide additional judges for the tenth judicial circuit of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Slate
Adams	Doss	Kinsey	Smith (K)
Adwell	Downing	Lang	Smith (P)
Barkett	Drake	Lutz	Snell
Barron	Easters	McCluskey	Stewart
Bassett	Ellis	McMillan	Stokes
Benton	Erdreich	McNair	Stubbs
Boles	Falkenburg	Meeks	Taylor
Boutwell	Fite	Merrill	Therrell
Bowers	Flippo	Mims	Timmons
Burgess	Gafford	Naramore	Turner
Callahan	Goodwin	Nettles	Turnham
Carnes	Grainger	O'Daniel	Waggoner
Casey	Gray (F)	Owens	Waldrop
Cauthen	Hale	Parker	Wallace
Chesnut	Harris	Porter	Warren
Connell	Headley	Pruitt	Weeks
Coshatt	Hill	Reed (T)	Williams
Crawford	Hobbie	Reid (R)	Wood
Cross	Hughes	Robertson	Wynot
Culver	Jones (F)	St. John	

—83

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Boles, the rules were suspended in order to bring up out of order the bill, H. 144.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Casey	Falkenburg	Kinsey
Adams	Chesnut	Fite	Lang
Adwell	Connell	Gafford	McMillan
Barkett	Coshatt	Goodwin	McNair
Barron	Crawford	Gray (F)	Meeks
Bassett	Cross	Hale	Merrill
Benton	Culver	Harris	Mims
Boles	Dill	Headley	Naramore
Boutwell	Doss	Hill	Owens
Bowers	Downing	Hobbie	Parker
Burgess	Drake	Hughes	Pruitt
Callahan	Easters	Jackson	Reed (T)
Carnes	Ellis	Jones (F)	Reid (R)
Carter	Erdreich	King	Robertson

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St. John	Stubbs	Turnham	Warren	
Slate	Taylor	Waggoner	Weeks	
Smith (K)	Therrell	Waldrop	Williams	
Stewart	Timmons	Wallace	Wynot	
Stokes	Turner			—74

Nay: Mr. Perloff. —1

And the bill:

H. 144. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Robertson
Adams	Doss	King	St. John
Adwell	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Meeks	Stubbs
Bowers	Flippo	Merrill	Taylor
Burgess	Gafford	Mims	Therrell
Callahan	Goodwin	Naramore	Timmons
Carnes	Grainger	Nettles	Turner
Casey	Gray (F)	O'Daniel	Turnham
Chesnut	Hale	Owens	Waggoner
Connell	Harris	Parker	Waldrop
Coshatt	Headley	Porter	Wallace
Crawford	Hill	Pruitt	Warren
Cross	Hobbie	Reed (T)	Weeks
Crowe	Hughes	Reid (R)	Wynot
Culver			

—81

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Turnham, the rules were suspended in order to bring up out of order the bill, H. 566.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Coshatt	Downing
Adams	Burgess	Cottingham	Drake
Barkett	Callahan	Crawford	Easters
Barron	Carnes	Cross	Ellis
Bassett	Casey	Crowe	Erdreich
Benton	Chesnut	Dill	Fite
Boles	Connell	Doss	Gafford

Goodwin	Kinsey	Pruitt	Taylor
Gray (F)	Lang	Reid (R)	Therrell
Hale	McMillan	Reed (T)	Turner
Harris	McNair	Robertson	Turnham
Headley	Meeks	St. John	Waggoner
Hill	Merrill	Slate	Wallace
Hobbie	Mims	Smith (K)	Warren
Hughes	Naramore	Stewart	Weeks
Jackson	Owens	Stokes	Wynot
Jones (F)	Parker	Stubbs	

—67

And the bill:

H. 566. Relating to the thirty-seventh judicial circuit; providing for additional circuit court judge in such circuit.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	St. John
Adams	Doss	King	Slate
Barkett	Downing	Kinsey	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McCluskey	Snell
Benton	Ellis	McMillan	Stewart
Boles	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Meeks	Stubbs
Burgess	Fite	Merrill	Taylor
Callahan	Flippo	Mims	Therrell
Carnes	Gafford	Naramore	Timmons
Casey	Goodwin	Nettles	Turner
Chesnut	Grainger	O'Daniel	Turnham
Connell	Gray (F)	Owens	Waggoner
Coshatt	Hale	Parker	Waldrop
Cottingham	Harris	Porter	Wallace
Crawford	Headley	Pruitt	Warren
Cross	Hill	Reed (T)	Weeks
Crowe	Hobbie	Reid (R)	Wynot
Culver	Hughes	Robertson	

—79

BILLS ON THIRD READING RESUMED

And the bill.:

H. 677. Further amending Code of Alabama 1940, Title 22, Sections 23, 24, 25, 26, 27, 28, 29, 30, 31 and adding Section 31 (1), relating to Vital Statistics; providing for registration of death by the funeral director and filing a certificate of death by the attending physician or coroner in certain cases.

Was taken up.

Mr. Cauthen offered the following amendment to the bill:

Amend Section 25 of HB 677 by adding immediately prior to the last paragraph of said Section the following:

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"Nobody shall be moved from the place where death occurred until same shall have first been examined by a person authorized to sign the medical portion of the death certificate."

And the amendment was lost.

Yeas 15; Nays 19.

Yeas:

Messrs.:	Carnes	Flippo	Pruitt
Barron	Carter	Hill	Slate
Bassett	Cauthen	Kinsey	Smith (K)
Benton	Ellis	McMillan	Therrell

—15

Nays:

Mr. Speaker	Fite	Jones (F)	Owens
Boutwell	Gafford	McCorquodale	St. John
Casey	Harris	Naramore	Stewart
Culver	Headley	Nettles	Taylor
Erdreich	Hobbie	O'Daniel	

—19

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Culver, unanimous consent was granted for the Journal to show his name removed as co-sponsor to the bill, H. 677.

And the bill, H. 677, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 30; Nays 17.

Yeas:

Messrs.:	Drake	Hill	St. John
Barron	Ellis	King	Slate
Carnes	Erdreich	Lutz	Smith (P)
Carter	Falkenburg	McMillan	Stokes
Cauthen	Fite	Nettles	Therrell
Chesnut	Flippo	Parker	Waldrop
Cross	Grainger	Pruitt	Wynot
Dill	Hale	Robertson	

—30

Nays:

Mr. Speaker	Easters	McNair	O'Daniel
Boutwell	Gafford	Merrill	Smith (K)
Casey	Hobbie	Mims	Stewart
Culver	Jackson	Naramore	Taylor
Downing			

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Adams, the rules were suspended in order to bring up out of order the bill, H. 961.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hobbie	St. John
Adams	Cross	Kinsey	Slate
Barkett	Crowe	Lang	Smith (K)
Barron	Culver	Lutz	Snell
Benton	Downing	McMillan	Stewart
Boles	Drake	McNair	Stokes
Boutwell	Edwards	May	Stubbs
Bowers	Ellis	Meeks	Taylor
Brassell	Erdreich	Merrill	Therrell
Burgess	Falkenburg	Mims	Turner
Carnes	Fite	Naramore	Turnham
Carter	Flippo	O'Daniel	Waggoner
Casey	Gafford	Owens	Waldrop
Cauthen	Goodwin	Parker	Warren
Chesnut	Grey (D)	Pruitt	Weeks
Collins	Harris	Reed (T)	Williams
Connell	Headley	Robertson	Wynot

—68

And the bill:

H. 961. (With Amendment): Relating to the Twenty-sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

In Section 1 of the bill, strike the last two sentences and insert the following in lieu thereof:

An additional judge shall be elected at the general election to be held in November 1974 who shall take office immediately upon the certification of his election by the Secretary of State. Said judge shall hold office until his successor is elected and qualified.

Strike Section 5 in its entirety and renumber the following Sections accordingly.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Cross
Adams	Boles	Casey	Crowe
Adwell	Boutwell	Chesnut	Culver
Barkett	Bowers	Collins	Dill
Barron	Brassell	Connell	Downing
Bassett	Carnes	Coshatt	Drake

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Easters	Jones (F)	O'Daniel	Stokes
Ellis	King	Owens	Stubbs
Falkenburg	Kinsey	Parker	Taylor
Fite	Lang	Porter	Therrell
Flippo	Lutz	Pruitt	Turner
Gafford	McMillan	Reed (T)	Turnham
Goodwin	McNair	Robertson	Waggoner
Grainger	May	St. John	Warren
Grey (D)	Meeks	Slate	Weeks
Harris	Merrill	Smith (K)	Williams
Headley	Mims	Smith (P)	Wood
Hill	Naramore	Snell	Wynot
Hobbie	Nettles	Stewart	

—75

And the bill, H. 961 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reid (R)
Adwell	Culver	Jones (F)	St. John
Bank	Dill	King	Slate
Barkett	Downing	Kinsey	Smith (K)
Barron	Drake	Lang	Smith (P)
Bassett	Easters	Lutz	Stewart
Benton	Ellis	McMillan	Stokes
Boles	Erdreich	McNair	Stubbs
Boutwell	Falkenburg	May	Taylor
Bowers	Fite	Meeks	Therrell
Brassell	Flippo	Merrill	Turner
Carnes	Gafford	Naramore	Turnham
Carter	Goodwin	Nettles	Waggoner
Casey	Grainger	O'Daniel	Waldrop
Chesnut	Grey (D)	Owens	Wallace
Collins	Hale	Porter	Weeks
Connell	Harris	Pruitt	Williams
Coshatt	Headley	Reed (T)	Wynot
Cross	Hill		

—74

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Hill, the rules were suspended in order to bring up out of order the bill, H. 1308.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Dill	Grey (D)	McNair
Adwell	Doss	Hale	May
Barron	Downing	Harris	Meeks
Bassett	Drake	Headley	Mims
Benton	Easters	Hill	Naramore
Boles	Ellis	Hobbie	Nettles
Boutwell	Falkenburg	Hughes	Owens
Carnes	Fite	Jones (F)	Pruitt
Chesnut	Flippo	Kinsey	Reed (T)
Collins	Gafford	Lang	Reid (R)
Connell	Goodwin	McMillan	St. John

Slate
Stokes
StubbsTaylor
Therrell
TurnerTurnham
Waldrop
WallaceWeeks
Williams
Wynot

—56

And the bill:

H. 1308. To provide for a state supplement to the Chief Deputy District Attorney in the 11th Judicial Circuit.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Cross
Dill
DossDowning
Drake
Easters
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Grey (D)
Hale
Harris
Headley
Hearn
Hill
HughesJones (F)
King
Kinsey
Lutz
McMillan
McNair
May
Meeks
Merrill
Mims
Naramore
Nettles
O'Daniel
Owens
Parker
Porter
Pruitt
Reed (T)Reid (R)
Robertson
St. John
Slate
Smith (K)
Smith (P)
Stewart
Stokes
Stubbs
Taylor
Therrell
Turner
Waggoner
Weeks
Williams
Wynot

—71

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to bring up out of order the bill, H. 1295.

Yeas 47; Nays 5.

Yeas:

Mr. Speaker
Adams
Adwell
Bank
Barkett
Bassett
Boles
Boutwell
Bowers
Carnes
Collins
ConnellCross
Doss
Downing
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Gafford
Goodwin
Grey (D)Hardin
Hearn
Hughes
McMillan
McNair
May
Mims
Naramore
Reed (T)
Reid (R)
Robertson
St. JohnSmith (K)
Stewart
Taylor
Therrell
Timmons
Waggoner
Waldrop
Warren
Weeks
Williams
Wynot

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Nays:

Messrs.:
BarronHill
King

Lutz

Nettles

—5

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1295. To amend Section 38, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists, when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place, and providing notice be given the electors of their voting location.

Was taken up.

Mr. Gafford offered the following amendment to the bill:

In Section 1 insert after the 4th sentence of Section 38, Title 17, Code of Alabama 1940, as appearing in said Section 1 in the middle of page 2, the following:

Provided that the judge of probate may publish as provided above such list of registered voters more often if he deems it necessary.

And the amendment was adopted.

Yeas 34; Nays 17.

Yeas:

Messrs.:	Collins	Hughes	Smith (K)
Barkett	Cross	Lutz	Stewart
Barron	Downing	McCorquodale	Stokes
Bassett	Ellis	McNair	Therrell
Boles	Fite	Meeks	Turner
Boutwell	Gafford	Naramore	Turnham
Bowers	Hardin	Pruitt	Weeks
Carnes	Hearn	Reid (R)	Wynot
Cauthen	Hill	Slate	

—34

Nays:

Messrs.:	Edwards	King	Nettles
Benton	Erdreich	Lang	St. John
Casey	Falkenburg	McCluskey	Smith (P)
Culver	Goodwin	McMillan	Wood
Drake	Grey (D)		

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1295 as thus amended, was read a third time at length and lost.

Yeas 31; Nays 33.

Yeas:

Messrs.:	Casey	Hearn	Stewart
Barkett	Collins	Hill	Stokes
Barron	Cross	Hughes	Therrell
Boles	Doss	Lutz	Turner
Boutwell	Downing	Meeks	Waldrop
Bowers	Ellis	Naramore	Weeks
Carnes	Fite	Pruitt	Wood
Carter	Grainger	Slate	Wynot

—31

Nays:

Mr. Speaker	Erdreich	Lang	Nettles
Agee	Falkenburg	McCluskey	Reid (R)
Bassett	Gafford	McCorquodale	St. John
Benton	Goodwin	McMillan	Smith (K)
Connell	Hardin	McNair	Smith (P)
Culver	Harris	May	Wallace
Drake	King	Merrill	Warren
Easters	Kinsey	Mims	Williams
Edwards			

—33

BILLS ON THIRD READING RESUMED

And the bill:

H. 153. To provide that any person with an out-of-state driver's license in an automobile with out-of-state tags can have certain quantities of non state tax paid alcoholic beverages in his possession.

Was read a third time at length and lost.

Yeas 26; Nays 33.

Yeas:

Messrs.:	Ellis	Hill	Waggoner
Adwell	Erdreich	Lutz	Waldrop
Barron	Falkenburg	May	Wallace
Carnes	Grainger	Meeks	Weeks
Culver	Hale	O'Daniel	Wood
Dill	Hardin	Reid (R)	Wynot
Downing	Hearn	Robertson	

—26

Nays:

Mr. Speaker	Fite	McMillan	St. John
Benton	Flippo	McNair	Slate
Carter	Goodwin	Mathews	Smith (K)
Casey	Hughes	Merrill	Smith (P)
Cauthen	Jackson	Mims	Snell
Chesnut	Lang	Owens	Stewart
Connell	McCluskey	Porter	Therrell
Drake	McCorquodale	Pruitt	Warren
Edwards			

—33

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Doss, the rules were suspended in order to bring up out of order the bill, H. 653.

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Yeas 52; Nays 13.

Yeas:

Messrs.:	Cross	Hearn	Smith (K)
Adams	Crowe	Hughes	Stewart
Adwell	Downing	Jones (F)	Stubbs
Bank	Drake	Lutz	Taylor
Barron	Easters	McMillan	Therrell
Bassett	Erdreich	McNair	Turnham
Boles	Falkenburg	May	Waggoner
Boutwell	Fite	Mims	Waldrop
Bowers	Flipppo	Reed (T)	Wallace
Callahan	Goodwin	Reid (R)	Warren
Carnes	Grainger	Robertson	Weeks
Casey	Hale	St. John	Wood
Cauthen	Headley	Slate	Wynot
Connell			

—52

Nays:

Mr. Speaker	King	McCluskey	O'Daniel
Benton	Kinsey	Merrill	Owens
Grey (D)	Lang	Naramore	Stokes
Hill			

—13

And the bill:

H. 653. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945 p. 478), an act providing for appointment and designation of Supernumerary Circuit Judges.

Was taken up.

H. 653 RECOMMITTED

The Speaker recommitted the bill, H. 653, to the Standing Committee on Judiciary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Ellis, the rules were suspended in order to bring up out of order the bill, H. 190.

Yeas 64; Nays 8.

Yeas:

Messrs.:	Dill	Hearn	Reed (T)
Adams	Doss	Hill	Reid (R)
Adwell	Downing	Hughes	Robertson
Agee	Drake	Jackson	St. John
Bank	Edwards	Jones (F)	Slate
Barkett	Ellis	Kinsey	Smith (K)
Barron	Falkenburg	McCorquodale	Taylor
Boles	Fite	McNair	Therrell
Boutwell	Flipppo	May	Timmons
Bowers	Goodwin	Meeks	Turner
Carnes	Grainger	Mims	Turnham
Carter	Gray (F)	Naramore	Waggoner
Cauthen	Grey (D)	Owens	Waldrop
Connell	Hardin	Parker	Wallace
Cottingham	Harris	Perloff	Warren
Cross	Headley	Pruitt	Weeks
Crowe			

—64

Nays:

Messrs.: Benton King	Lang Lutz	McCluskey Merrill	Nettles Stokes
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—8

And the bill:

H. 190. Relating to emergency care by Alabama State Troopers; requiring additional equipment for highway patrol cars and further instruction for troopers; and providing for the payment of costs.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Cross	Jackson	Reed (T)
Adams	Doss	Jones (F)	Reid (R)
Adwell	Downing	King	St. John
Agee	Drake	Kinsey	Slate
Barkett	Edwards	Lang	Smith (K)
Barron	Erdreich	Lutz	Smith (P)
Bassett	Falkenburg	McCluskey	Stewart
Benton	Fite	McCorquodale	Stokes
Boles	Flippo	McMillan	Stubbs
Boutwell	Goodwin	McNair	Taylor
Bowers	Grainger	May	Therrell
Carnes	Gray (F)	Meeks	Timmons
Carter	Grey (D)	Merrill	Turner
Casey	Hardin	Mims	Turnham
Cauthen	Harris	Naramore	Waggoner
Chesnut	Headley	Owens	Waldrop
Connell	Hearn	Perloff	Wallace
Coshatt	Hill	Porter	Warren
Cottingham	Hughes	Pruitt	Weeks

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BILLS ON THIRD READING RESUMED

And the bill:

H. 523. To regulate the solicitation of advertisement by any person, firm, corporation, State or Federal Peace Officers Association for any Peace Officers Magazine or Journal; to provide penalties for violation of this Act.

Was taken up.

Mr. Lutz offered the following amendment #1 to the bill:

Amend H. B. 523 by striking the word "qualify" wherever it appears therein and substituting the word "register."

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Carnes
Adwell	Barkett	Benton	Carter
Agee	Barron	Boutwell	Casey

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Cauthen	Goodwin	Lutz	Slate
Connell	Grainger	McCluskey	Smith (K)
Cottingham	Gray (F)	McCorquodale	Stewart
Cross	Grey (D)	McNair	Stokes
Culver	Hale	May	Stubbs
Doss	Harris	Meeks	Taylor
Downing	Headley	Merrill	Therrell
Drake	Hearn	Naramore	Timmons
Edwards	Hill	O'Daniel	Turner
Ellis	Hughes	Perloff	Turnham
Erdreich	Jackson	Porter	Waggoner
Falkenburg	Jones (F)	Pruitt	Waldrop
Fite	King	Reed (T)	Wallace
Flippo	Kinsey	St. John	Wynot

—68

Mr. Lutz offered the following amendment #2 to the bill, H. 523 as amended:

Amend H. B. 523 by striking the word "qualifying" wherever it appears therein and substituting the word "registering."

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Hughes	Porter
Adwell	Drake	Jackson	Pruitt
Agee	Easters	Jones (F)	Reed (T)
Bank	Edwards	King	Robertson
Barkett	Ellis	Kinsey	St. John
Barron	Erdreich	Lang	Slate
Bassett	Falkenburg	Lutz	Smith (K)
Benton	Fite	McCluskey	Smith (P)
Boutwell	Flippo	McCorquodale	Stewart
Carnes	Goodwin	McMillan	Stokes
Carter	Grainger	McNair	Stubbs
Casey	Gray (F)	May	Taylor
Cauthen	Grey (D)	Meeks	Therrell
Chesnut	Hale	Merrill	Timmons
Connell	Harris	Mims	Turner
Coshatt	Headley	Naramore	Waggoner
Cottingham	Hearn	Nettles	Waldrop
Cross	Hill	O'Daniel	Wallace
Culver	Hobbie	Perloff	Wood
Doss			

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Mr. Lutz offered the following amendment #3 to the bill, H. 523 as amended:

Amend H. B. 523 by striking the word "qualification" wherever it appears therein and substituting the word "registration."

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Barkett	Benton	Carnes
Adams	Barron	Boles	Carter
Agee	Bassett	Boutwell	Casey

Cauthen	Flippo	Kinsey	Pruitt
Chesnut	Goodwin	Lang	Reed (T)
Collins	Grainger	Lutz	St. John
Connell	Gray (F)	McCluskey	Slate
Coshatt	Grey (D)	McCorquodale	Smith (K)
Cottingham	Hale	McMillan	Stewart
Cross	Hardin	McNair	Stokes
Culver	Harris	May	Stubbs
Downing	Headley	Meeks	Taylor
Drake	Hearn	Merrill	Therrell
Easters	Hill	Mims	Timmons
Edwards	Hobbie	Naramore	Turner
Ellis	Hughes	Nettles	Waldrop
Erdreich	Jackson	O'Daniel	Wallace
Falkenburg	Jones (F)	Perloff	Wood
Fite	King	Porter	

—75

Mr. Lutz offered the following amendment #4 to the bill, H. 523 as amended:

Amend H. B. 523 by striking the word "qualified" wherever it appears therein and substituting the word "registered."

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Doss	Hobbie	Parker
Adams	Downing	Hughes	Perloff
Adwell	Drake	Jackson	Porter
Agee	Easters	Jones (F)	Pruitt
Bank	Edwards	King	Reed (T)
Barkett	Ellis	Kinsey	Robertson
Barron	Erdreich	Lutz	St. John
Bassett	Falkenburg	McCluskey	Smith (K)
Benton	Fite	McCorquodale	Stewart
Boles	Flippo	McMillan	Stokes
Boutwell	Goodwin	McNair	Stubbs
Carnes	Grainger	May	Taylor
Carter	Gray (F)	Meeks	Therrell
Casey	Grey (D)	Merrill	Timmons
Cauthen	Hale	Mims	Turner
Collins	Hardin	Naramore	Waldrop
Connell	Harris	Nettles	Wallace
Coshatt	Headley	O'Daniel	Williams
Cross	Hill	Owens	Wood
Culver			

—77

And the bill, H. 523 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Cauthen
Adams	Barron	Callahan	Chesnut
Adwell	Bassett	Carnes	Collins
Agee	Benton	Carter	Connell
Bank	Boles	Casey	Coshatt

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Cross	Hale	McNair	St. John
Culver	Hardin	May	Slate
Doss	Harris	Meeks	Smith (K)
Downing	Headley	Merrill	Smith (P)
Drake	Hill	Mims	Stewart
Easters	Hobbie	Naramore	Stokes
Edwards	Hughes	Nettles	Stubbs
Ellis	Jackson	O'Daniel	Taylor
Erdreich	Jones (F)	Owens	Therrell
Falkenburg	King	Parker	Timmons
Fite	Kinsey	Perloff	Turner
Flippo	Lang	Porter	Waggoner
Goodwin	Lutz	Pruitt	Waldrop
Grainger	McCluskey	Reed (T)	Wallace
Gray (F)	McCorquodale	Reid (R)	Warren
Grey (D)	McMillan	Robertson	Williams

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Lutz, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 523.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turnham:

H. J. R. 150. Be It Resolved By The Legislature Of Alabama, Both Houses Thereof Concurring:

That there is hereby created a joint interim committee for the purpose of making an investigation and study relative to amending the probate law of Alabama to conform to the Uniform Probate Code.

The Committee shall be composed of four members from the House, to be appointed by the Speaker of the House, and three members from the Senate, to be appointed by the Lieutenant Governor. The members of the committee shall elect a chairman and a vice-chairman.

The members of the Committee shall be allowed, for not exceeding ten days, the regular per diem for expenses now allowed the members of the Legislature for their attendance during regular sessions. Payment shall be made upon certificates of attendance signed by the Chairman or Vice-Chairman.

The Committee shall seek the advice, assistance and cooperation of the Alabama Law Institute, the Alabama Bar Association, and other persons or groups of persons in an effort to do everything possible to improve the probate laws of Alabama, and to that end may hold public hearings if deemed advisable.

The Committee shall report its findings, conclusions, and recommendations to the Legislature not later than the fifth (5th) legislative day of the 1975 Regular Session, whereupon the Committee shall be dissolved.

The resolution, H. J. R. 150, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Turnham:

H. J. R. 151. COMMENDING FAMED SURGEON, DOCTOR J. GARBER GALBRAITH, FOR HIS OUTSTANDING CONTRIBUTIONS TO THE UNIVERSITY OF ALABAMA MEDICAL CENTER IN BIRMINGHAM.

WHEREAS, Doctor J. Garber Galbraith has contributed much to the growth and development of the University of Alabama Medical Center in Birmingham. In the realm of neurosurgery this outstanding man has few peers in the world; and

WHEREAS, he was honored with the esteemed award as the "1973 Distinguished Faculty Lecturer at the University of Alabama Medical Center". He also performed the very delicate operations which have enabled our beloved Governor, George C. Wallace, to make his continuing and remarkable recovery from wounds received while campaigning for the presidency of this country; and

WHEREAS, Doctor Galbraith displays an uncommon interest in mankind and his chosen profession. He serves on the Board of Censors of the Medical Association of Alabama, the State Mental Health Board, the American Board of Neurological Surgery and the Society of Neurological Surgeons, which is the national neurological association. Doctor Galbraith is also involved at the Medical Center in teaching both in the undergraduate medical level and in graduate medical education; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to commend Doctor J. Garber Galbraith for the outstanding contributions he has made to the University of Alabama Medical Center in Birmingham and to wish this brilliant medical leader continued success in his endeavors.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Doctor J. Garber Galbraith.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 151, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 152. MOURNING THE DEATH OF J. A. WALKER, SR.

WHEREAS, Jacob A. Walker, Sr., age 83, a distinguished resident of Opelika and one of Alabama's best known criminal lawyers, died recently after a long illness; and

WHEREAS, Jacob A. Walker, Sr. was a native of Alexander City and graduated from Auburn University in 1907 and the University of Chicago Law School in 1913. He practiced law in Opelika from 1917 until his retirement; and

WHEREAS, Jacob A. Walker, Sr. was a member of the Legislature of the State of Alabama and a former president of the Alabama State Bar Association. He was also a fellow of the American College of Trial Lawyers and

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in 1954 he was one of the lawyers who took part in the Phenix City vice cleanup trials; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the passing of Jacob A. Walker, Sr., and expresses its deep sorrow to members of his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his wife, Mrs. Jacob A. Walker, Sr. and his son, Mr. Jacob A. Walker, Jr.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 152, on the Clerk's desk for one legislative day.

MOTION TO RECONSIDER LOST

Having voted on the prevailing side, Mr. McMillan moved to reconsider the vote by which the bill, H. 153, was passed, and the motion was lost.

Yeas 32; Nays 39.

Yeas:

Messrs.:	Dill	Lutz	Perloff
Adwell	Downing	McMillan	Stokes
Bank	Erdreich	McNair	Stubbs
Barron	Falkenburg	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Hale	Nettles	Waggoner
Collins	Hill	O'Daniel	Weeks
Coshatt	Hobbie	Parker	Wood
Culver			

—32

Nays:

Messrs.:	Connell	Headley	Reid (R)
Adams	Cross	King	Robertson
Agee	Doss	Kinsey	St. John
Bassett	Drake	Lang	Slate
Benton	Easters	McCorquodale	Smith (K)
Bowers	Edwards	Mims	Smith (P)
Carter	Fite	Naramore	Turnham
Casey	Flippo	Owens	Waldrop
Cauthen	Goodwin	Porter	Warren
Chesnut	Grey (D)	Pruitt	Williams

—39

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Owens, the rules were suspended in order to bring up out of order the bill, H. 205.

Yeas 66; Nays 4.

Yeas:

Mr. Speaker	Boles	Collins	Downing
Adams	Boutwell	Connell	Drake
Adwell	Callahan	Coshatt	Easters
Agee	Carnes	Cottingham	Edwards
Bassett	Carter	Cross	Ellis
Benton	Cauthen	Dill	Fite

Goodwin	Lang	Pruitt	Timmons
Grainger	Lutz	Reid (R)	Turner
Grey (D)	McCorquodale	Robertson	Turnham
Hale	McNair	St. John	Waggoner
Hardin	May	Slate	Waldrop
Harris	Meeks	Smith (K)	Wallace
Headley	Mims	Stewart	Warren
Hill	Naramore	Stubbs	Weeks
Hobbie	O'Daniel	Taylor	Williams
Jones (F)	Owens	Therrell	Wood
Kinsey	Parker		

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Nays:

Messrs.:	King	Nettles	Perloff
Barron			

—4

And the bill:

H. 205. Relating to taxation: exempting the Episcopal Foundation of Jefferson County and the Alabama Heart Association and their property from state, county and municipal taxes, licenses, fees and excises, under certain prescribed conditions.

Was taken up.

Mr. Owens offered the following amendment to the bill:

In Section 1 of the bill insert after the words Jefferson County, in line 3 the following:

all volunteer fire departments in this State,

In Section 2 of the bill insert after the words Jefferson County in line 1 the following:

, all volunteer fire departments in this State,

And the amendment was adopted.

Yeas 64; Nays 2.

Yeas:

Mr. Speaker	Crowe	Hughes	Pruitt
Adwell	Doss	Jackson	Reid (R)
Agee	Downing	Jones (F)	Robertson
Barkett	Drake	King	Smith (K)
Bassett	Easters	Kinsey	Smith (P)
Benton	Edwards	Lutz	Stewart
Boles	Ellis	McNair	Taylor
Boutwell	Fite	Mathews	Therrell
Callahan	Flippo	May	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Naramore	Turnham
Cauthen	Grey (D)	Nettles	Waggoner
Collins	Hale	Owens	Waldrop
Coshatt	Hardin	Parker	Wallace
Cottingham	Harris	Perloff	Weeks
Cross	Hill	Porter	Williams

—64

Nays: Messrs. Barron and Wood.

—2

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Mr. Lutz offered the following amendment to the bill, H. 205 as amended:

In the first sentence of Section 1 of H. B. 205, after the phrase Alabama Heart Association insert the phrase Presbyterian Apartments, Inc.

And the amendment was adopted.

Yeas 60; Nays 6.

Yeas:

Mr. Speaker	Cottingham	Hale	Porter
Adwell	Cross	Hardin	Pruitt
Barkett	Dill	Harris	Reid (R)
Bassett	Doss	Headley	Robertson
Benton	Downing	Hill	Smith (K)
Boles	Drake	Hughes	Smith (P)
Boutwell	Easters	Jones (F)	Stewart
Bowers	Edwards	King	Stubbs
Callahan	Ellis	Kinsey	Therrell
Carnes	Erdreich	Lutz	Timmons
Carter	Falkenburg	McNair	Turner
Casey	Fite	Meeks	Wallace
Cauthen	Goodwin	Naramore	Weeks
Chesnut	Grainger	Owens	Williams
Collins	Grey (D)	Parker	Wise

—60

Nays:

Messrs.:	Nettles	Taylor	Wood
Barron	Perloff	Warren	

—6

Mr. Erdreich offered the following amendment to the bill, H. 205 as amended:

Amend Section 1 by adding at the end of the words "fire departments" the following:

"Birmingham Arts Council".

MOTION TO TABLE LOST

The motion of Mr. Owens to table the amendment offered by Mr. Erdreich to the bill, H. 205 as amended, was lost.

Yeas 21; Nays 33.

Yeas:

Mr. Speaker	Hill	Parker	Stubbs
Collins	Kinsey	Porter	Taylor
Connell	Lang	Pruitt	Turner
Easters	McCorquodale	Slate	Wise
Grey (D)	Naramore	Smith (K)	Wood
Headley			

—21

Nays:

Messrs.:	Boles	Carnes	Coshatt
Adwell	Boutwell	Cauthen	Crowe
Barron	Bowers	Chesnut	Dill

Doss	Gray (F)	Perloff	Therrell
Downing	Hughes	Robertson	Timmons
Ellis	Lutz	St. John	Waggoner
Erdreich	McMillan	Smith (P)	Wallace
Falkenburg	McNair	Stewart	Weeks
Fite	Meeks		

—33

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Erdreich to the bill, H. 205 as amended, and the amendment was adopted.

Yeas 44; Nays 7.

Yeas:

Messrs.:	Dill	Headley	Robertson
Adwell	Doss	Hill	Slate
Boles	Downing	Hughes	Smith (K)
Boutwell	Ellis	Jones (F)	Smith (P)
Bowers	Erdreich	King	Stubbs
Carnes	Falkenburg	Lutz	Taylor
Carter	Fite	McNair	Therrell
Cauthen	Goodwin	Meeks	Timmons
Chesnut	Grainger	Nettles	Wallace
Coshatt	Gray (F)	Perloff	Weeks
Cottingham	Harris	Reid (R)	Williams
Crowe			

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Nays:

Messrs.:	Collins	Grey (D)	Stewart
Barron	Easters	Pruitt	Wood

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Culver offered the following amendment to the bill, H. 205 as amended:

Amend H. 205 as follows:

All nonprofit organizations be exempt as provided therein.

AMENDMENT TABLED

On motion of Mr. Owens, the amendment offered by Mr. Culver to the bill, H. 205 as amended, was tabled.

Yeas 39; Nays 15.

Yeas:

Mr. Speaker	Connell	Easters	Hale
Adwell	Cross	Edwards	Hardin
Callahan	Doss	Ellis	Headley
Carnes	Downing	Fite	Hill
Collins	Drake	Grainger	Hobbie

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Jones (F)	McCorquodale	Pruitt	Turner
King	McNair	St. John	Weeks
Kinsey	Nettles	Smith (K)	Williams
Lang	Parker	Stewart	Wynot
Lutz	Porter	Therrell	

—39

Nays:

Messrs.:	Culver	Gray (F)	Reid (R)
Barron	Dill	Grey (D)	Robertson
Bowers	Erdreich	Harris	Taylor
Coshatt	Goodwin	McMillan	Wood

—15

RESOLUTION

The following resolution was introduced:

By Mr. Dill:

H. J. R. 153. MOURNING THE DEATH OF PAUL R. BRUNSON

WHEREAS, Paul R. Brunson, age 51, died recently in an automobile accident near his hometown of Elba; and

WHEREAS, Paul R. Brunson served with the First Infantry Division in Europe during World War II, including at the Battle of the Bulge, and was a winner of the Purple Heart; and

WHEREAS, Paul R. Brunson was a graduate of the University of Alabama, receiving his bachelors and masters degree in business administration; and

WHEREAS, Paul R. Brunson taught school in Ozark and served as executive officer for the State Civil Defense Department; and

WHEREAS, Paul R. Brunson had served as Regional Director of the Small Business Administration since 1965 aiding many small businesses to gain financial footing; and

WHEREAS, Paul R. Brunson is survived by a wife and five children who will miss him dearly; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the untimely death of Paul R. Brunson and offers its heartfelt sympathy to members of his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his wife, Gwendolyn Boutwell Brunson in Birmingham, to his mother, Mrs. Velma Brunson in Elba, and to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 153, on the Clerk's desk for one legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Perloff that the House adjourn until 11:00 o'clock a.m., Wednesday, July 18, 1973, was lost.

Yeas 40; Nays 45.

Yeas:

Mr. Speaker	Crawford	Hardin	St. John
Bank	Cross	Kinsey	Slate
Barkett	Culver	Lang	Smith (K)
Boutwell	Dill	Mathews	Snell
Bowers	Downing	Meeks	Therrell
Carter	Drake	Merrill	Timmons
Collins	Easters	Perloff	Wallace
Connell	Fite	Porter	Weeks
Coshatt	Gray (F)	Pruitt	Williams
Cottingham	Grey (D)	Reed (T)	Wood

—40

Nays:

Messrs.:	Edwards	Jackson	Smith (P)
Adwell	Ellis	Jones (F)	Stewart
Barron	Erdreich	King	Stokes
Bassett	Falkenburg	Lutz	Stubbs
Benton	Flippo	McCorquodale	Taylor
Burgess	Goodwin	McMillan	Turner
Callahan	Grainger	McNair	Waggoner
Carnes	Hale	Nettles	Waldrop
Cauthen	Headley	Parker	Warren
Chesnut	Hill	Reid (R)	Wise
Crowe	Hobbie	Robertson	Wynot
Doss	Hughes		

—45

H. 205 RESUMED

And the bill, H. 205 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 3.

Yeas:

Mr. Speaker	Dill	Hill	St. John
Barkett	Doss	Hobbie	Slate
Bassett	Downing	Jones (F)	Smith (K)
Benton	Drake	King	Smith (P)
Boles	Easters	Kinsey	Stokes
Boutwell	Edwards	Lang	Stubbs
Callahan	Ellis	Lutz	Therrell
Carnes	Erdreich	McCorquodale	Timmons
Carter	Fite	McMillan	Turner
Cauthen	Grainger	McNair	Waggoner
Chesnut	Grey (D)	Parker	Waldrop
Collins	Hale	Porter	Weeks
Connell	Hardin	Pruitt	Williams
Cottingham	Harris	Reid (R)	Wood
Cross	Headley	Robertson	Wynot

—60

Nays: Messrs. Barron, Perloff and Taylor.

—3

BILLS ON THIRD READING RESUMED

And the bill:

H. 253. To amend the Code of Alabama, 1940, Title 34, Section 6, re-

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lating to performance of civil marriage ceremonies, so as to include the authorization of all Inferior Court Judges or Statutory Court Judges with less position than Circuit Court Judges to perform marriage ceremonies.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 2.

Yeas:

Mr. Speaker	Culver	Hughes	St. John
Adams	Dill	Jackson	Smith (K)
Barkett	Downing	Jones (F)	Smith (P)
Barron	Drake	King	Snell
Bassett	Easters	Kinsey	Stewart
Benton	Edwards	Lang	Stokes
Boles	Ellis	Lutz	Stubbs
Boutwell	Erdreich	McCorquodale	Taylor
Bowers	Falkenburg	McMillan	Therrell
Burgess	Fite	McNair	Timmons
Callahan	Flippo	May	Turner
Carnes	Grainger	Meeks	Waggoner
Casey	Gray (F)	Merrill	Waldrop
Cauthen	Gray (D)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Collins	Hardin	Parker	Williams
Connell	Harris	Perloff	Wise
Coshatt	Headley	Porter	Wood
Cottingham	Hill	Reid (R)	Wynot
Cross	Hobbie	Robertson	

—79

Nays: Messrs. Carter and Slate.

—2

And the bill:

H. 268. To amend Code of Alabama, Title 14, Sections 331 and 334; which sections define and distinguish the offenses of petit and grand larceny, so as to raise the dollar amount of property stolen or converted, which distinguishes petit larceny from grand larceny.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 21.

Yeas:

Messrs.:	Coshatt	Flippo	Lutz
Adams	Cross	Grainger	McCluskey
Barron	Crowe	Gray (F)	McMillan
Bassett	Culver	Grey (D)	McNair
Boles	Dill	Hale	Meeks
Boutwell	Doss	Hardin	Merrill
Burgess	Downing	Harris	O'Daniel
Callahan	Easters	Hill	Perloff
Carnes	Ellis	Hughes	Porter
Carter	Erdreich	Jones (F)	Reid (R)
Casey	Falkenburg	King	Robertson
Chesnut	Fite	Lang	St. John

Smith (K)
Stewart
Stokes

Taylor
Therrell
Timmons

Waggoner
Waldrop
Wallace

Wise
Wood
Wynot

—59

Nays:

Mr. Speaker
Barkett
Cauthen
Collins
Connell
Cottingham

Edwards
Goodwin
Jackson
McCorquodale
Mims

Nettles
Owens
Pruitt
Slate
Smith (P)

Stubbs
Turner
Turnham
Warren
Williams

—21

RESOLUTION

The following resolution was introduced:

By Mr. Robertson:

H. J. R. 154. HONORING UNIVERSITY OF ALABAMA POLICE CHIEF ALLEN O. RAYFIELD

WHEREAS University of Alabama Police Chief Allen O. Rayfield has announced his intention to retire on January 1, 1974 after twenty-six years of service; and

WHEREAS Chief Rayfield who became the Capstone's first police chief in 1946 and saw his staff grow from two policemen to twenty-six policemen, a secretary, two clerks and seventeen students, has served under five presidents and two interim presidents; and

WHEREAS during Chief Rayfield's tenure, many changes have come to the University besides vastly increased enrollment, and some of these changes have included turbulent times during which periods Chief Rayfield kept his equanimity and exercised great restraint in maintaining law and order on the campus; and

WHEREAS Chief Rayfield has said, "My twenty-six years here have been a big cup of happiness," and he points with pride to the students who have graduated and become outstanding citizens and particularly to those former students whose children are now enrolled at the University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Chief Rayfield for his long years of dedicated and devoted services to the University of Alabama and to the many students and former students who have benefitted through their association with him. We extend to him our warmest best wishes for his continued health and happiness for many years of retirement.

RESOLVED FURTHER That copies of this resolution be sent to Chief Rayfield and to the University of Alabama.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 154, on the Clerk's desk for one legislative day.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Mathews, the rules were suspended in order to bring up out of order the bill, H. 1024.

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Yeas 78; Nays 6.

Yeas:

Mr. Speaker	Dill	Jackson	St. John
Adams	Doss	Jones (F)	Smith (K)
Adwell	Downing	Kinsey	Snell
Agee	Drake	Lutz	Stewart
Barkett	Easters	McCluskey	Stokes
Barron	Edwards	McCorquodale	Stubbs
Bassett	Ellis	McMillan	Taylor
Benton	Falkenburg	McNair	Therrell
Boles	Fite	Mathews	Timmons
Boutwell	Flippo	May	Turner
Bowers	Goodwin	Meeks	Turnham
Burgess	Grainger	Merrill	Waggoner
Callahan	Gray (F)	Mims	Waldrop
Carter	Grey (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Parker	Williams
Connell	Harris	Pruitt	Wise
Coshatt	Headley	Reid (R)	Wood
Cottingham	Hill	Robertson	Wynot
Crowe	Hughes		

—78

Nays:

Messrs.:	King	Nettles	Slate
Carnes	Lang	Perloff	

—6

And the bill:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 3.

Yeas:

Mr. Speaker	Chesnut	Goodwin	McNair
Adams	Collins	Grainger	Mathews
Adwell	Connell	Grey (D)	May
Agee	Coshatt	Hale	Meeks
Bank	Cottingham	Hardin	Merrill
Barkett	Cross	Harris	Mims
Barron	Crowe	Headley	Owens
Bassett	Culver	Hobbie	Parker
Benton	Dill	Hughes	Perloff
Boles	Downing	Jackson	Porter
Boutwell	Drake	Jones (F)	Pruitt
Bowers	Easters	King	Reid (R)
Burgess	Edwards	Kinsey	Robertson
Callahan	Ellis	Lang	St. John
Carnes	Falkenburg	McCluskey	Smith (K)
Carter	Fite	McCorquodale	Smith (P)
Casey	Flippo	McMillan	Snell

Stewart	Therrell	Waldrop	Williams
Stokes	Timmons	Wallace	Wise
Stubbs	Turner	Warren	Wood
Taylor	Turnham	Weeks	Wynot

—84

Nays: Messrs. Cauthen, Erdreich and Nettles.

—3

And the bill:

H. 292. (With Amendment): To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 292 by adding the following sentence at the end of Section 1:

"However, no applicant may take the examination more than three (3) times in any three (3) year period."

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Slate
Adams	Doss	Kinsey	Smith (K)
Adwell	Downing	Lang	Smith (P)
Agee	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stewart
Barron	Edwards	McCorquodale	Stokes
Bassett	Ellis	McMillan	Stubbs
Benton	Erdreich	McNair	Taylor
Boutwell	Falkenburg	Mathews	Therrell
Bowers	Fite	May	Timmons
Burgess	Flippo	Merrill	Turner
Callahan	Goodwin	Mims	Turnham
Carnes	Grainger	Nettles	Waldrop
Carter	Grey (D)	O'Daniel	Wallace
Casey	Hardin	Owens	Warren
Cauthen	Harris	Parker	Weeks
Chesnut	Headley	Perloff	Williams
Collins	Hill	Porter	Wise
Connell	Hughes	Reid (R)	Wood
Coshatt	Jackson	Robertson	Wynot
Cottingham	Jones (F)	St. John	

—83

And the bill, H. 292 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker	Agee	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Burgess

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Callahan	Erdreich	McCluskey	Smith (K)
Carnes	Falkenburg	McCorquodale	Snell
Carter	Fite	McMillan	Stewart
Casey	Flippo	McNair	Stokes
Cauthen	Goodwin	Mathews	Stubbs
Chesnut	Grainger	May	Taylor
Collins	Grey (D)	Meeks	Therrell
Connell	Hardin	Merrill	Turner
Coshatt	Harris	Mims	Turnham
Cottingham	Headley	Nettles	Waggoner
Cross	Hill	O'Daniel	Waldrop
Dill	Hughes	Owens	Wallace
Doss	Jackson	Parker	Warren
Downing	Jones (F)	Perloff	Weeks
Drake	King	Porter	Williams
Easters	Kinsey	Reid (R)	Wise
Edwards	Lang	Robertson	Wood
Ellis	Lutz	St. John	Wynot

—84

Nay: Mr. Slate.

—1

UNANIMOUS CONSENT GRANTED

At the request of Mr. Reed (T), unanimous consent was granted for the Journal to show that had he been in the Chamber at the time the bill, H. 292 as amended, was passed, he would have voted "Yea".

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Gafford moved to reconsider the vote by which the bill, H. 1295, was lost, and the motion was adopted.

Yeas 50; Nays 24.

Yeas:

Messrs.:	Coshatt	Hill	Stokes
Adwell	Cottingham	Hughes	Stubbs
Bank	Cross	Jackson	Therrell
Barkett	Culver	Kinsey	Timmons
Boles	Dill	McMillan	Turner
Boutwell	Doss	McNair	Turnham
Bowers	Downing	Meeks	Waggoner
Burgess	Ellis	Parker	Waldrop
Carnes	Flippo	Perloff	Weeks
Carter	Gafford	Reid (R)	Wise
Cauthen	Grainger	Robertson	Wood
Chesnut	Grey (D)	Slate	Wynot
Collins	Hale	Stewart	

—50

Nays:

Messrs.:	Erdreich	Lutz	St. John
Agee	Falkenburg	McCluskey	Smith (K)
Barron	Hardin	McCorquodale	Smith (P)
Bassett	Headley	Mims	Taylor
Benton	King	Nettles	Wallace
Drake	Lang	Owens	Warren
Edwards			

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:30 P.M. on July 17, 1973

H. J. R. 125

H. J. R. 126

H. 425

H. 465

H. 466

H. 467

H. 468

H. 469

H. 471

H. 542

H. 548

H. 550

H. 551

H. 558

H. 564

H. 581

H. 598

H. 599

H. 629

H. 652

H. 664

H. 698

H. 123

H. 170

H. 171

H. 172

H. 415

H. 563

H. 552

Delivered to the Governor at 3:10 P.M. July 17, 1973

H. 384

JOHN W. PEMBERTON,
Clerk.

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ADJOURNMENT

On motion of Mr. Headley, the House adjourned until 12:00 o'clock noon, Wednesday, July 18, 1973.

Yeas 44; Nays 43.

Yeas:

Mr. Speaker	Collins	Goodwin	Perloff
Adams	Connell	Gray (F)	Pruitt
Agee	Coshatt	Hardin	Reed (T)
Bassett	Cottingham	Headley	St. John
Benton	Cross	Kinsey	Slate
Boles	Dill	Lang	Smith (K)
Boutwell	Downing	McCorquodale	Snell
Burgess	Drake	Mathews	Stokes
Callahan	Easters	Merrill	Therrell
Carter	Edwards	Mims	Wallace
Casey	Fite	O'Daniel	Warren

—44

Nays:

Messrs.:	Flippo	McCluskey	Stubbs
Adwell	Grainger	McMillan	Taylor
Barkett	Grey (D)	McNair	Timmons
Barron	Hale	May	Turner
Carnes	Hill	Meeks	Turnham
Cauthen	Hobbie	Nettles	Waggoner
Chesnut	Hughes	Parker	Waldrop
Doss	Jackson	Reid (R)	Weeks
Ellis	Jones (F)	Robertson	Wise
Erdreich	King	Smith (P)	Wood
Falkenburg	Lutz	Stewart	Wynot

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TWENTIETH DAY

House of Representatives
Montgomery, Alabama
Wednesday, July 18, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Vern Anderson, Pastor, Fundamental Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bank	Benton	Burgess
Adams	Barkett	Boles	Callahan
Adwell	Barron	Boutwell	Carnes
Agee	Bassett	Bowers	Carter

Casey	Gafford	McDonald	St. John
Cauthen	Goodwin	McMillan	Slate
Chesnut	Grainger	McNair	Smith (K)
Collins	Gray (F)	Manley	Smith (P)
Connell	Grey (D)	Mathews	Snell
Coshatt	Hale	May	Stewart
Cottingham	Hardin	Meeks	Stokes
Crawford	Harris	Merrill	Stubbs
Cross	Headley	Mims	Taylor
Crowe	Hearn	Namore	Therrell
Culver	Hill	Nettles	Timmons
Dill	Hobbie	O'Daniel	Turner
Doss	Hughes	Owens	Turnham
Downing	Jackson	Parker	Waggoner
Drake	Jones (F)	Perloff	Waldrop
Easters	King	Porter	Wallace
Edwards	Kinsey	Pruitt	Warren
Ellis	Lang	Reed (T)	Weeks
Erdreich	Lutz	Reid (R)	Williams
Falkenburg	McBride	Reynolds	Wise
Fite	McCluskey	Roberts	Wood
Flippo	McCorquodale	Robertson	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the nineteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the nineteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the nineteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 851. (With Amendments): To provide that no firefighting vehicle or apparatus in this State shall leave the station on call unless certain officers are present; and in case of absence of said officers, the city or county fire department shall provide such off-duty personnel.

H. 1284. (With Amendments): To provide for the uniform minimum compensation for all deputy sheriffs in every county in the State of Alabama.

H. 1019. (With Amendments): To require every county and municipality in the state to provide a civil service merit system governing its law en-

REGULAR SESSION
20th Day

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forcement officers or to enter into an agreement for participation in the state merit system.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 857. To amend further Act No. 376, S. 280, Regular Session 1947 (Acts of Alabama 1947, page 267), an act authorizing and empowering certain governing bodies and agencies to contract for, obtain and maintain policies of group life, health, accident, and hospitalization insurance, and insured retirement plans for certain of its officers and employees in order to authorize and empower the board of directors of any county or municipal hospital to provide such insurance and retirement plans for its officers and agencies.

H. 1250. To authorize any public corporation organized under the provisions of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama to merge into any public corporation organized or the certificate of incorporation of which has been amended under the provisions of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama; to prescribe the means for accomplishing such merger and the effect thereof; and to prohibit any such merger except in cases where the merging corporation was created and the incorporation of the surviving corporation was authorized by the same municipality and the surviving corporation has authority to own and operate any utility system or systems of the same general nature as that or those owned by the merging corporation.

H. 1409. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing water works systems; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from any such system or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; and to authorize the refunding of any such warrants.

H. 1447. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$3,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of The Army.

The above bill was read a second time at length as required by the Constitution.

H. 1338. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of The Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 530. To authorize and direct the tax assessor of Barbour County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Barbour County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

H. 531. To authorize and direct the tax assessor of Bullock County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Bullock County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

H. 532. To authorize and direct the tax assessor of Macon County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Macon County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

H. 533. To amend Title 22, Section 110, Code of Alabama 1940, as amended, so as to allow the county governing body of each county to establish the fee to be charged by the rabies inspector for the inoculation of dogs against rabies at a charge of not less than two dollars nor more than four dollars per dog.

H. 1115. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the

Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

H. 1314. To authorize the Baldwin County Commission to provide a humane shelter for animals in said county.

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

H. 1427. To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

H. 1430. To amend Sections 7 and 9 of Act No. 2100, H. 1930, Regular Session 1971, (Acts 1971, p. 3369), which relates to the creation, jurisdiction, organization and functions of the Cleburne County Intermediate Court; to provide that the judge of said court receive a monthly expense allowance of \$275.00 in addition to his regular compensation; and to abolish the cost system in criminal cases and add in lieu thereof a standard fee of \$10.00.

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

The above bill was read a second time at length as required by the Constitution.

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1445. To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 15, 1973, through October 1, 1973.

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 148. COMMENDING AUBURN UNIVERSITY ON ITS STUDY OF RESEARCH AND TECHNOLOGY.

On motion of Mr. Lyons, the resolution, H. J. R. 148, was adopted.

Also:

H. J. R. 141. RECOMMENDING READING PROFICIENCY IN ALABAMA PUBLIC SCHOOLS.

On motion of Mr. Lyons, the resolution, H. J. R. 141, was adopted.

Also:

H. J. R. 132. CONDEMNING PROPOSED FEDERAL RULES AND REGULATIONS TO PROTECT THE COMMON CROW.

On motion of Mr. Barkett, the resolution, H. J. R. 132, was adopted.

Also:

S. J. R. 56. CONGRATULATING AND COMMENDING MISS MARTHA JANE RICE FOR BEING NAMED MISS ALABAMA.

On motion of Mr. McCorquodale, the resolution, S. J. R. 56, was concurred in and adopted.

Also:

H. J. R. 147. DESIGNATING MACON COUNTY ROAD AS GEORGE WASHINGTON CARVER DRIVE.

On motion of Mr. Reed (T), the resolution, H. J. R. 147, was adopted.

RESOLUTIONS

The following resolutions introduced on the nineteenth legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 153. MOURNING THE DEATH OF PAUL R. BRUNSON

H. J. R. 154. HONORING UNIVERSITY OF ALABAMA POLICE CHIEF ALLEN O. RAYFIELD

H. J. R. 151. COMMENDING FAMED SURGEON, DOCTOR J. GARBER GALBRAITH, FOR HIS OUTSTANDING CONTRIBUTIONS TO THE UNIVERSITY OF ALABAMA MEDICAL CENTER IN BIRMINGHAM.

H. J. R. 149. COMMENDING THE HUNTSVILLE TIMES FOR BEING SELECTED TO RECEIVE THE DISTINGUISHED SERVICE AWARD OF THE ALABAMA HISTORICAL COMMISSION

H. J. R. 152. MOURNING THE DEATH OF J. A. WALKER, SR.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted the following members for their names to be added as co-sponsors to the resolution, H. J. R. 153:

Messrs. Barkett, Adams, Adwell, Agee, Barron, Benton, Boles, Boutwell, Bowers, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Cottingham, Crawford, Cross, Doss, Downing, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Gafford, Goodwin, Grainger, Grey (D), Harris, Headley, Hearn, Hobbie, Hughes, Jackson, Jones (F), King, Kinsey, Lang, Lutz, Lyons, McCluskey, McCorquodale, McDonald, McMillan, McNair, May, Meeks, Mims, Naramore, Nettles, O'Daniel, Owens, Perloff, Porter, Pruitt, Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stokes, Stubbs, Taylor, Therrell, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Williams, Wise and Wynot.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted the following members for their names to be added as co-sponsors to the resolution, H. J. R. 154:

Messrs. Parker, Bank, Drake, Culver, Lyons, Adwell, Crow, Agee, Barkett, Barron, Benton, Boles, Boutwell, Bowers, Callahan, Carnes, Carter, Casey, Chesnut, Collins, Connell, Cottingham, Crawford, Cross, Downing, Edwards, Ellis, Erdreich, Falkenburg, Fite, Gafford, Goodwin, Grainger, Grey (D), Hale, Harris, Headley, Hearn, Hobbie, Hughes, Jackson, King, Lutz, McCorquodale, McDonald, McMillan, McNair, May, Meeks, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Porter, Pruitt, Reynolds, Roberts, St. John, Slate, Smith (K), Snell, Stokes, Stubbs, Taylor, Therrell, Timmons, Turner, Turnham, Waldrop, Wallace and Wood.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

At the request of Mr. Turnham, leave of absence was granted for Mr. Brassell, due to his absence from the state on state business.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs Kinsey and Hearn:

H. 1563. To amend further Section 19 of Act No. 248, H. 87, Regular Session 1955 (Acts 1955, p. 586), as amended, levying a state lodging tax

and providing for the distribution of revenue derived therefrom so as to change the distribution of such revenue.

Ways and Means.

By Mr. Reid (R):

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of the District Attorney.

Local Legislation No. 1.

By Mr. Reid (R):

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

Local Legislation No. 1.

By Mr. Reid (R):

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal census; providing further for the expense allowances of members of the county commission in such counties.

Local Legislation No. 1.

By Messrs. McCorquodale, O'Daniel and Mims:

H. 1567. To include members of the State Board of Pardons and Paroles under the State Employees Retirement System; to provide that each member shall be eligible for coverage under the system from the date on which he assumed his office, if necessary contributions are made.

Ways and Means.

By Messrs. Erdreich, Dill and Falkenburg:

H. 1568. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license is issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

Local Legislation No. 2.

By Messrs. Carnes, Waldrop and Wynot:

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial Census; relieving the Clerk and Register of the

Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

Local Legislation No. 1.

By Mr. Casey:

H. 1570. To authorize the State Board of Health to purchase, lease, accept, or acquire suitable sites for the concentration, storage, and disposal of radioactive wastes and other hazardous chemical materials; to provide for the supervision of the operation of such sites; to contract with public or private agencies for the operation or maintenance of such sites; to fix by contract, or to establish and revise from time to time and charge and collect revenues, rentals, rates, and charges for the use of the services and facilities of such sites; to establish a perpetual fund for the maintenance of such sites in a manner consistent with the interests of the public health and safety; and to authorize the State Board of Health to prepare and enforce regulations pertaining to the use and operation of such sites.

Health.

By Messrs. Doss, McMillan, Wallace, Timmons, Hughes, Erdreich, Dill, Gafford, Boutwell, Adwell, Falkenburg, Waggoner, Meeks, Weeks, Ellis, Bowers, Boles, Grainger, Callahan and Easters:

H. 1571. To make a conditional appropriation for Capital Outlay purposes at the University of Alabama in Birmingham for the 1974-75 biennium.

Ways and Means.

By Messrs. Turnham and St. John:

H. 1572. To provide for the establishment of regional mental health-mental retardation facilities to furnish aid to all aspects of mental retardation-mental illness, including but not limited to alcoholism, drug addiction, and epilepsy; to authorize such corporations to implement programs and to construct, maintain, equip, and operate facilities; to provide that such programs and facilities be used in accordance with standards and criteria established by the State Board of Health and the Alabama Mental Health Board; to provide for the powers, authorities, and duties of such corporations; to authorize the said corporations to enter into contracts with any agency for the purpose of carrying into effect the above; to authorize local governing bodies to appropriate monies for the support of such facilities and programs; to provide specific local funds to carry out the above; to repeal and supersede Act No. 310, H. 591, Regular Session 1967 (Acts 1967, p. 853).

Ways and Means.

By Mr. Mathews:

H. 1573. Providing expense allowances for members of the governing bodies of counties having populations of not less than 10,660 nor more than 10,900, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Local Legislation No. 1.

By Messrs. Agee and McCorquodale:

H. 1574. Providing for expense allowances for the tax assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Falkenburg, Erdreich, Waggoner, McMillan, Timmons, Hughes, Adwell, Doss, Boutwell, Meeks, Bowers, Dill, Ellis, Weeks and McNair (With Notice and Proof):

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

Local Legislation No. 2.

Notice and Proof H. 1575:

LEGAL NOTICE

STATE OF ALABAMA JEFFERSON COUNTY

Notice is hereby given that a bill will be introduced in the current Regular Session, or at the next Special Session, of the Alabama Legislature for the passage of an Act to provide Judicial Officers in Jefferson County; to designate them as supernumerary county court judges of Jefferson County; to provide the conditions under which a county court judge of Jefferson County may become a supernumerary county court judge of Jefferson County; to prescribe the qualifications, tenure of office, duties, powers, authority and compensation and methods of removal of supernumerary county court judges of Jefferson County and to regulate the duties of other officers with respect thereto; to make any other provisions appropriate to the purposes and implementation of this Act and to repeal conflicting laws.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 2, 9, 16, 23, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

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Sworn and subscribed to on this the 17th day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Turnham:

H. 1576. To permit the deduction by individual income tax payers, in computing net income for state income tax purposes, of payments made to a spouse for alimony or separate maintenance; to prescribe payments which shall be deductible by the payer and taxable to the recipient; to prescribe payments which shall not be deductible by the payer nor taxable to the recipient; to become effective for any taxpayer's tax year beginning on or after January 1, 1965.

Ways and Means.

By Mr. Roberts:

H. 1577. To provide for legislative findings, purpose, and intent; to provide for definitions, to provide for loans for the establishment and construction of county low-cost, nonprofit clinics for the spaying and neutering of dogs and cats; and to provide for severability, repeal of inconsistent laws, and an effective date.

Ways and Means.

By Messrs. Boles and Dill:

H. 1578. To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

Ways and Means.

By Messrs. Boles, Adwell, Timmons, Wallace, Hughes, Boutwell, Weeks and Dill:

H. 1579. To create a board to administer the various programs of vocational rehabilitation of physically disabled persons under the national social security act; provide for a director of such board, and define the duties and functions of such board and director.

Education.

By Mr. Callahan:

H. 1580. To amend Sections 102 and 112 of Title 17, Code of Alabama 1940, relating to the preparation of voting machines prior to the opening of the polls and the canvass of the vote and proclamation of the results.

Constitution and Elections.

By Messrs. Grainger, Hearn, Lutz, Hale, King, Jones (F), Harris, Barron, Hobbie and Taylor:

H. 1581. To create a board of trustees to manage and control Alabama Agricultural and Mechanical University at Normal, Alabama; to prescribe the powers, duties, authority, and compensation of the board; to pro-

vide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Alabama Agricultural and Mechanical University of all supplies, funds, books, documents, records and other property or effects of such university.

Education.

By Messrs. Jones (F), Harris, Barron, Hobbie, Taylor, Grainger, Lutz, Hale, King and Hearn:

H. 1582. To create a board of trustees to manage and control Alabama State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Alabama State University of all supplies, funds, books, documents, records and other property or effects of such university.

Education.

By Messrs. Callahan and Lyons:

H. 1583. To amend Section 12 (B) of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8), as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which related to establishing drilling units and the minimum and maximum size of drilling units.

Commerce and Transportation.

By Messrs. Callahan and Lyons:

H. 1584. To amend Section 25 of Act No. 1, 1945, General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by increasing the permit fee for oil and gas wells from \$25.00 per well to \$100.00 per well, and to provide for the deposition of permit fees, penalties and publication fees in the Oil and Gas Fund; said fund to be used by the Oil and Gas Supervisor to defray expenses incurred by the Supervisor in the performance of his duties under this article.

Commerce and Transportation.

By Messrs. Callahan and Lyons:

H. 1585. To amend Section 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, an Act to conserve natural resources, prevent waste and provide regulation, control and supervision of the drilling for and the production and use of oil and gas in the State of Alabama so as to add a provision for integrating interests as well as tracts.

Commerce and Transportation.

By Messrs. Callahan and Lyons:

H. 1586. To amend Section 20 of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by deleting the words "wilfully" and "intentionally", thereby imposing a standard of strict liability on persons making statements, both oral and in writing, to the Oil and Gas Board pertaining to transactions regulated by this article; to amend Section 21 of said act by deleting the words "knowingly" and "wilfully" thereby imposing a standard of strict liability for any person who violates any provision of this article, or any rule, regulation or order of the Oil and Gas Board, and further to amend the amount of penalty for violations from \$1,000.00 per day for each and every day of such violation and for each and every act of violation to \$10,000.00 per day for each and every day of such violation and for each and every act of violation; and to amend Section 22 of said act by deleting the condition that a person must know or could have known that he was handling illegal oil, illegal gas or illegal product and thereby impose a standard of strict liability for persons selling, purchasing, acquiring, transporting, refining, processing, or handling in any other way any oil, gas or any product without complying with any rule, regulation, or order of the Oil and Gas Board relating thereto.

Commerce and Transportation.

By Mr. Turnham:

H. 1587. Establishing the Alabama Scholarship Program; providing rules of eligibility and criteria for selection; establishing a board to administer the scholarship; appropriating funds from the Special Educational Trust Fund.

Ways and Means.

By Mr. Kinsey:

H. 1588. To allow any volunteer fire department in this state to purchase tires through the State Finance Department.

Ways and Means.

By Mr. Kinsey:

H. 1589. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, allowing volunteer fire departments in the county to purchase tires through the State Finance Department.

Ways and Means.

By Messrs. McMillan, Boutwell, Gafford, Doss, Falkenburg, Weeks, Meeks, Timmons, Dill, McBride, Erdreich and Naramore:

H. 1590. To amend Section 2 of Act No. 474, H. 202, of the 1961 Regular Session of the Legislature of Alabama entitled "An Act providing for the relocation of utility facilities when necessitated by federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon federal participation and federal

funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws."

Commerce and Transportation.

By Messrs. Crow, Jackson, Lyons, Bank, Downing, Chesnut, Casey, Flipppo, Grey (D), Goodwin, Connell, Barkett, Callahan, Snell, Adams, Parker, St. John, Drake, Owens, Lang, Stewart, Roberts, Collins, Therrell, Hardin, May, Kinsey, Benton, Wise, Jones (F), Waggoner, Cross, Porter, Williams, Bassett, Carnes, Wynot, Coshatt and Reid (R):

H. 1591. To establish a system of regulation and control of surface mining and reclamation, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Reclamation Commission with powers and authority, establishes necessity of licenses and permits with a right to surface mine and proper application therefor, requires a conservation and reclamation plan and map, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for confidentiality of certain records, violations, administrative procedures, appeals from orders of the Commission, legal remedies, enforcement proceedings, nonapplicability and penalties, establishes the Alabama Surface Mining and Reclamation Fund, provides for citizens' suits, saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Act 399 Regular Session).

Commerce and Transportation.

By Messrs. Ellis, Gafford, Dill, Timmons, Boles, Hughes, Meeks, Waggoner, McNair, Boutwell, Bowers, Weeks, McMillan, Falkenburg, Erdreich, McBride and Doss:

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

Local Legislation No. 2.

By Messrs. Culver, Parker and Bank:

H. 1593. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, so as to enumerate certain political activities which shall not preclude employment of any person coming under the provisions of any county civil service systems established in such counties.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Mr. McBride:

H. J. R. 155. TO ESTABLISH AN INTERIM EDUCATION ACCOUNTABILITY STUDY COMMISSION

WHEREAS, the members of the Legislature of Alabama recognize the need for the continued improvement of education at all levels within the State of Alabama; and

WHEREAS, the Legislature of Alabama is aware that education in the State has been attempting to be accountable to the students, their parents, and the tax paying public all of whom are entitled to more information about the utilization of and the results obtained from the funds they provide for the support of education in the State; and

WHEREAS, the Legislature of Alabama, along with education at all levels in the State, recognizes that there are many different education accountability procedures being successfully implemented throughout the United States and that there is a need to improve the current education accountability procedures for education in Alabama; and

WHEREAS, the Legislature of Alabama desires a comprehensive study of all accountability procedures to determine which ones may best be used in Alabama to help education at all levels become more accountable to the Legislature and the public; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That thereis hereby created an interim Education Accountability Study Committee to investigate the current accountability practices in other States of the United States to ascertain which practices may be appropriate for implementation by education in the State of Alabama to enable it to become more accountable to the public.

a. The Education Accountability Study Committee shall be composed of ten members of the Alabama State Legislature; five members to be appointed by the Speaker of the House, three of which shall be members of the House Education Committee and five members to be appointed by the President of the Senate, three of which shall be members of the Senate Education Committee. The Education Accountability Study Committee shall appoint such advisory personnel and consulting committees as it deems appropriate which are representative of all facets of education to assist the Study Committee.

b. The Education Accountability Study Committee shall elect a chairman from among its members and the committee shall meet at the call of the chairman or at the request of a majority of its membership directed to the committee secretary in writing.

c. The compensation of the committee members and committee employees shall be paid as provided in Code 1940, Title 32, Section 13. Provided, however, that the Legislature shall provide two stenographers, to be selected by the Commission, whose compensation shall not exceed the salaries paid for Stenographer III under the State Merit System. The funds to carry out the provisions of this resolution shall be expended from funds appropriated for the use of the Legislature; provided that the total amount of funds expended for all purposes, other than the compensation of the above mentioned two stenographers, shall not exceed \$10,000.

d. The Accountability Education Study Committee shall prepare a written report of its findings and its recommendations which shall be fur-

nished to the Governor, to each member of the Legislature, to the State Superintendent of Education and be made available to the education community on or before the next regular session of the Legislature.

The resolution, H. J. R. 155, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. McNair, Doss, Adwell, McMillan, Timmons, Bowers, Hughes, Ellis, Falkenburg, Erdreich, Weeks, Dill and Meeks:

H. J. R. 156. MOURNING THE DEATH OF FIVE RAIL CREWMEN KILLED ABOARD THE BIRMINGHAM SOUTHERN RAILROAD TRAIN DERAILED NEAR MULGA.

WHEREAS, A Birmingham Southern Railroad train derailed near Mulga after hitting a washout in the track on Saturday, July 12 killing all five of its crewmen; and

WHEREAS, killed in the accident were Engineer R. E. Collins of Bessemer, Fireman W. J. Weldon, Conductor B. S. Card and L. C. Walton, Jr., all of Birmingham, and Benjamin Baldwin of Pratt City; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the tragic deaths of these five rail crewmen, and urges increased track safety to prevent further accidents of this type.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the families of each of these men.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 156, on the Clerk's desk for one legislative day.

BILLS ON THIRD READING

And the bill:

H. 1044. Relating to all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Was taken up.

Mr. McCorquodale offered the following substitute to the bill:

Relating to all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, of violations of the rules of the road or

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the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this state, when the arrest which initiated the case is made by a state trooper or other state law enforcement officer, shall be paid into the general fund of such counties, and the remainder shall be remitted by the proper authorities to the state treasurer who shall credit the same to the proper fund in the state treasury.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1044. Relating to all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Agee	Barron	Boles	Burgess

Callahan	Fite	McCorquodale	Slate
Carnes	Flippo	McDonald	Smith (K)
Carter	Gafford	McMillan	Smith (P)
Casey	Goodwin	McNair	Snell
Cauthen	Grainger	Mathews	Stewart
Collins	Grey (D)	May	Stokes
Cottingham	Hale	Meeks	Stubbs
Crawford	Hardin	Mims	Taylor
Cross	Harris	Naramore	Therrell
Crowe	Headley	O'Daniel	Timmons
Culver	Hearn	Owens	Turner
Dill	Hill	Perloff	Turnham
Doss	Hobbie	Porter	Waggoner
Downing	Jackson	Pruitt	Waldrop
Drake	Jones (F)	Reed (T)	Warren
Easters	King	Reid (R)	Weeks
Edwards	Kinsey	Reynolds	Williams
Ellis	Lutz	Roberts	Wise
Erdreich	McBride	Robertson	Wynot
Falkenburg	McCluskey	St. John	

—91

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Messrs. Hughes and Coshatt for the Journal to show them voting "Yea" on all local bills.

BILLS RECOMMITTED

On motion of Mr. Bassett to recommit, the Speaker recommitted the bills, H. 530, H. 531 and H. 532, to the Standing Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

And the bill:

H. 80. To regulate further the power and authority of cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Was taken up.

H. 80 POSTPONED

On motion of Mr. Harris, the bill, H. 80, was postponed to the twenty-fifth legislative day.

And the bill:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

H. 955 POSTPONED

On motion of Mr. Crowe, the bill, H. 955, was postponed to the twenty-first legislative day.

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20th Day

1731

And the bill:

S. 182. To provide for the operation of a nonprofit ambulance service by the counties of Tallapoosa and Coosa and incorporated municipalities located in said counties.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 702. To authorize the Clay County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Flippo
Adams	Callahan	Dill	Gafford
Agee	Carnes	Doss	Goodwin
Bank	Carter	Downing	Grainger
Barkett	Casey	Drake	Grey (D)
Barron	Cauthen	Easters	Hale
Bassett	Collins	Edwards	Hardin
Benton	Cottingham	Ellis	Harris
Boles	Crawford	Erdreich	Headley
Boutwell	Cross	Falkenburg	Hearn
Bowers	Crowe	Fite	Hill

Hobbie	Mathews	Reynolds	Therrell
Jackson	May	Roberts	Timmons
Jones (F')	Meeks	Robertson	Turner
King	Mims	St. John	Turnham
Kinsey	Naramore	Slate	Waggoner
Lutz	O'Daniel	Smith (K)	Waldrop
McBride	Owens	Smith (P)	Warren
McCluskey	Perloff	Snell	Weeks
McCorquodale	Porter	Stewart	Williams
McDonald	Pruitt	Stokes	Wise
McMillan	Reed (T)	Stubbs	Wynot
McNair	Reid (R)	Taylor	

—91

And the bill:

H. 1045. Relating to the Eleventh Judicial Circuit, authorizing each circuit judge of said circuit to appoint a secretary and providing compensation.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1139. Relating to Choctaw County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
20th Day

1733

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1140. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama; Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hale	May
Adams	Cross	Hardin	Meeks
Agee	Crowe	Harris	Mims
Bank	Culver	Headley	Naramore
Barkett	Dill	Hearn	O'Daniel
Barron	Doss	Hill	Owens
Bassett	Downing	Hobbie	Perloff
Benton	Drake	Jackson	Porter
Boles	Easters	Jones (F)	Pruitt
Boutwell	Edwards	King	Reed (T)
Bowers	Ellis	Kinsey	Reid (R)
Burgess	Erdreich	Lutz	Reynolds
Callahan	Falkenburg	McBride	Roberts
Carnes	Fite	McCluskey	Robertson
Carter	Flippo	McCorquodale	St. John
Casey	Gafford	McDonald	Slate
Cauthen	Goodwin	McMillan	Smith (K)
Collins	Grainger	McNair	Smith (P)
Cottingham	Grey (D)	Mathews	Snell

Stewart
Stokes
Stubbs
Taylor

Therrell
Timmons
Turner
Turnham

Waggoner
Waldrop
Warren
Weeks

Williams
Wise
Wynot

—91

And the bill:

H. 1141. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerks hire allowance for the Probate Judge of such counties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Collins
Cottingham
Crawford
Cross
Crowe
Culver

Dill
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Grey (D)
Hale
Hardin
Harris
Headley
Hearn
Hill
Hobbie
Jackson

Jones (F)
King
Kinsey
Lutz
McBride
McCluskey
McCorquodale
McDonald
McMillan
McNair
Mathews
May
Meeks
Mims
Naramore
O'Daniel
Owens
Perloff
Porter
Pruitt
Reed (T)
Reid (R)
Reynolds

Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Warren
Weeks
Williams
Wise
Wynot

—91

And the bill:

H. 1142. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee

Bank
Barkett
Barron

Bassett
Benton
Boles

Boutwell
Bowers
Burgess

REGULAR SESSION

1735

20th Day

Callahan	Fite	McCorquodale	Slate
Carnes	Flippo	McDonald	Smith (K)
Carter	Gafford	McMillan	Smith (P)
Casey	Goodwin	McNair	Snell
Cauthen	Grainger	Mathews	Stewart
Collins	Grey (D)	May	Stokes
Cottingham	Hale	Meeks	Stubbs
Crawford	Hardin	Mims	Taylor
Cross	Harris	Naramore	Therrell
Crowe	Headley	O'Daniel	Timmons
Culver	Hearn	Owens	Turner
Dill	Hill	Perloff	Turnham
Doss	Hobbie	Porter	Waggoner
Downing	Jackson	Pruitt	Waldrop
Drake	Jones (F)	Reed (T)	Warren
Easters	King	Reid (R)	Weeks
Edwards	Kinsey	Reynolds	Williams
Ellis	Lutz	Roberts	Wise
Erdreich	McBride	Robertson	Wynot
Falkenburg	McCluskey	St. John	

—91

And the bill:

H. 1168. To extend, alter and rearrange the boundaries and corporate limits of the Town of Killen so as to annex certain adjacent territory to the Town of Killen.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1327. To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1360. To create the office of license inspector in all counties having populations of not less than 115,000 and not more than 150,000, according to the most recent federal decennial census; to provide for the supervision of such office by the governing body of such counties; to authorize the governing body of such counties to provide for certain personnel and duties of such office and for salaries; to repeal Section 18 of Act No. 1292, H. 1795, Regular Session 1971 (Acts 1971, p. 2220).

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Callahan	Doss	Grainger
Adams	Carnes	Downing	Grey (D)
Agee	Carter	Drake	Hale
Bank	Casey	Easters	Hardin
Barkett	Cauthen	Edwards	Harris
Barron	Collins	Ellis	Headley
Bassett	Cottingham	Erdreich	Hearn
Benton	Crawford	Falkenburg	Hill
Boles	Cross	Fite	Hobbie
Boutwell	Crowe	Flippo	Jackson
Bowers	Culver	Gafford	Jones (F)
Burgess	Dill	Goodwin	King

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1737

Kinsey	Mims	Robertson	Timmons
Lutz	Naramore	St. John	Turner
McBride	O'Daniel	Slate	Turnham
McCluskey	Owens	Smith (K)	Waggoner
McCorquodale	Perloff	Smith (P)	Waldrop
McDonald	Porter	Snell	Warren
McMillan	Pruitt	Stewart	Weeks
McNair	Reed (T)	Stokes	Williams
Mathews	Reid (R)	Stubbs	Wise
May	Reynolds	Taylor	Wynot
Meeks	Roberts	Therrell	

—91

And the bill:

H. 1376. To authorize each circuit judge of the Eleventh Judicial Circuit to appoint a bailiff-law assistant or alternatively to appoint two other bailiffs; to provide for the compensation, duties and payment of such bailiffs.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Agee	Barron	Boles	Burgess

Callahan	Fite	McCorquodale	Slate
Carnes	Flippo	McDonald	Smith (K)
Carter	Gafford	McMillan	Smith (P)
Casey	Goodwin	McNair	Snell
Cauthen	Grainger	Mathews	Stewart
Collins	Grey (D)	May	Stokes
Cottingham	Hale	Meeks	Stubbs
Crawford	Hardin	Mims	Taylor
Cross	Harris	Naramore	Therrell
Crowe	Headley	O'Daniel	Timmons
Culver	Hearn	Owens	Turner
Dill	Hill	Perloff	Turnham
Doss	Hobbie	Porter	Waggoner
Downing	Jackson	Pruitt	Waldrop
Drake	Jones (F)	Reed (T)	Warren
Easters	King	Reid (R)	Weeks
Edwards	Kinsey	Reynolds	Williams
Ellis	Lutz	Roberts	Wise
Erdreich	McBride	Robertson	Wynot
Falkenburg	McCluskey	St. John	

—91

And the bill:

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no established emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

REGULAR SESSION
20th Day

1739

And the bill:

H. 1415. To authorize the governing body of all counties having a population of not less than 12,000 nor more than 12,800 according to the last or any subsequent federal decennial census, to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1416. Amending Section 1 of Act No. 121, H. 22, Special Session 1971 (Acts 1971, p. 204), fixing the fee for pistol permits in counties having a population of not less than 10,660 nor more than 10,900, so as to provide for the distribution of fees collected by issuance of such permits.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crowe
Adams	Boles	Casey	Culver
Agee	Boutwell	Cauthen	Dill
Bank	Bowers	Collins	Doss
Barkett	Burgess	Cottingham	Downing
Barron	Callahan	Crawford	Drake
Bassett	Carnes	Cross	Easters

Edwards	Hobbie	Naramore	Stewart
Ellis	Jackson	O'Daniel	Stokes
Erdreich	Jones (F)	Owens	Stubbs
Falkenburg	King	Perloff	Taylor
Fite	Kinsey	Porter	Therrell
Flippo	Lutz	Pruitt	Timmons
Gafford	McBride	Reed (T)	Turner
Goodwin	McCluskey	Reid (R)	Turnham
Grainger	McCorquodale	Reynolds	Waggoner
Grey (D)	McDonald	Roberts	Waldrop
Hale	McMillan	Robertson	Warren
Hardin	McNair	St. John	Weeks
Harris	Mathews	Slate	Williams
Headley	May	Smith (K)	Wise
Hearn	Meeks	Smith (P)	Wynot
Hill	Mims	Snell	

—91

And the bill:

H. 1417. To provide for the compensation of circuit court bailiffs in all counties having a population of not less than 10,660 nor more than 10,900 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1418. To provide that the county commissions of all counties having populations of not less than 10,660 or no more than 10,900, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

REGULAR SESSION
20th Day

1741

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1419. To authorize the sheriff of counties having a population of not less than 10,660 nor more than 10,900 to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Collins	Gafford	McCluskey
Adams	Cottingham	Goodwin	McCorquodale
Agee	Crawford	Grainger	McDonald
Bank	Cross	Grey (D)	McMillan
Barkett	Crowe	Hale	McNair
Barron	Culver	Hardin	Mathews
Bassett	Dill	Harris	May
Benton	Doss	Headley	Meeks
Boles	Downing	Hearn	Mims
Boutwell	Drake	Hill	Naramore
Bowers	Easters	Hobbie	O'Daniel
Burgess	Edwards	Jackson	Owens
Callahan	Ellis	Jones (F)	Perloff
Carnes	Erdreich	King	Porter
Carter	Falkenburg	Kinsey	Pruitt
Casey	Fite	Lutz	Reed (T)
Cauthen	Flippo	McBride	Reid (R)

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Reynolds	Smith (P)	Therrell	Warren
Roberts	Snell	Timmons	Weeks
Robertson	Stewart	Turner	Williams
St. John	Stokes	Turnham	Wise
Slate	Stubbs	Waggoner	Wynot
Smith (K)	Taylor	Waldrop	

—91

And the bill:

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1422. Relating to Pike County, to provide that the Sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Casey
Adams	Bassett	Burgess	Cauthen
Agee	Benton	Callahan	Collins
Bank	Boles	Carnes	Cottingham
Barkett	Boutwell	Carter	Crawford

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Cross	Hale	Mathews	Smith (P)
Crowe	Hardin	May	Snell
Culver	Harris	Meeks	Stewart
Dill	Headley	Mims	Stokes
Doss	Hearn	Naramore	Stubbs
Downing	Hill	O'Daniel	Taylor
Drake	Hobbie	Owens	Therrell
Easters	Jackson	Perloff	Timmons
Edwards	Jones (F)	Porter	Turner
Ellis	King	Pruitt	Turnham
Erdreich	Kinsey	Reed (T)	Waggoner
Falkenburg	Lutz	Reid (R)	Waldrop
Fite	McBride	Reynolds	Warren
Flippo	McCluskey	Roberts	Weeks
Gafford	McCorquodale	Robertson	Williams
Goodwin	McDonald	St. John	Wise
Grainger	McMillan	Slate	Wynot
Grey (D)	McNair	Smith (K)	

—91

And the bill:

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1468. To amend Section 1 of Act No. 106, H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit

of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1469. To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteenth Judicial Circuit of Alabama, the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Cottingham	Easters
Adams	Bowers	Crawford	Edwards
Agee	Burgess	Cross	Ellis
Bank	Callahan	Crowe	Erdreich
Barkett	Carnes	Culver	Falkenburg
Barron	Carter	Dill	Fite
Bassett	Casey	Doss	Flippo
Benton	Cauthen	Downing	Gafford
Boles	Collins	Drake	Goodwin

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1745

Grainger	McBride	Porter	Stubbs
Grey (D)	McCluskey	Pruitt	Taylor
Hale	McCorquodale	Reed (T)	Therrell
Hardin	McDonald	Reid (R)	Timmons
Harris	McMillan	Reynolds	Turner
Headley	McNair	Roberts	Turnham
Hearn	Mathews	Robertson	Waggoner
Hill	May	St. John	Waldrop
Hobbie	Meeks	Slate	Warren
Jackson	Mims	Smith (K)	Weeks
Jones (F)	Naramore	Smith (P)	Williams
King	O'Daniel	Snell	Wise
Kinsey	Owens	Stewart	Wynot
Lutz	Perloff	Stokes	

—91

And the bill:

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for expense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1471. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Judge of the Circuit Court; providing a limitation on amounts so paid; and providing further for such payments.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1472. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing that any Circuit Judge, who maintains his principal office at the courthouse, therein may appoint one additional Bailiff to serve the circuit court; to prescribe the pay for the service of said Bailiff and the manner thereof.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hearn
Adams	Casey	Ellis	Hill
Agee	Cauthen	Erdreich	Hobbie
Bank	Collins	Falkenburg	Jackson
Barkett	Cottingham	Fite	Jones (F)
Barron	Crawford	Flippo	King
Bassett	Cross	Gafford	Kinsey
Benton	Crowe	Goodwin	Lutz
Boles	Culver	Grainger	McBride
Boutwell	Dill	Grey (D)	McCluskey
Bowers	Doss	Hale	McCorquodale
Burgess	Downing	Hardin	McDonald
Callahan	Drake	Harris	McMillan
Carnes	Easters	Headley	McNair

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1747

Mathews	Pruitt	Smith (P)	Turnham
May	Reed (T)	Snell	Waggoner
Meeks	Reid (R)	Stewart	Waldrop
Mims	Reynolds	Stokes	Warren
Naramore	Roberts	Stubbs	Weeks
O'Daniel	Robertson	Taylor	Williams
Owens	St. John	Therrell	Wise
Perloff	Slate	Timmons	Wynot
Porter	Smith (K)	Turner	

—91

And the bill:

H. 1473. To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Agee	Barron	Boles	Burgess

Callahan	Fite	McCorquodale	Slate
Carnes	Flippo	McDonald	Smith (K)
Carter	Gafford	McMillan	Smith (P)
Casey	Goodwin	McNair	Snell
Cauthen	Grainger	Mathews	Stewart
Collins	Grey (D)	May	Stokes
Cottingham	Hale	Meeks	Stubbs
Crawford	Hardin	Mims	Taylor
Cross	Harris	Naramore	Therrell
Crowe	Headley	O'Daniel	Timmons
Culver	Hearn	Owens	Turner
Dill	Hill	Perloff	Turnham
Doss	Hobbie	Porter	Waggoner
Downing	Jackson	Pruitt	Waldrop
Drake	Jones (F)	Reed (T)	Warren
Easters	King	Reid (R)	Weeks
Edwards	Kinsey	Reynolds	Williams
Ellis	Lutz	Roberts	Wise
Erdreich	McBride	Robertson	Wynot
Falkenburg	McCluskey	St. John	

—91

And the bill:

H. 1475. Relating to Shelby County; providing further for the disposition of fines and forfeitures paid by any person convicted in the County Inferior Court of Shelby County of violations of the laws of this State relating to the licensing of drivers of motor vehicles, where the person was arrested by a Shelby County law enforcement officer.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

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1749

And the bill:

H. 1476. Relating to Shelby County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Flippo
Adams	Callahan	Dill	Gafford
Agee	Carnes	Doss	Goodwin
Bank	Carter	Downing	Grainger
Barkett	Casey	Drake	Grey (D)
Barron	Cauthen	Easters	Hale
Bassett	Collins	Edwards	Hardin
Benton	Cottingham	Ellis	Harris
Boles	Crawford	Erdreich	Headley
Boutwell	Cross	Falkenburg	Hearn
Bowers	Crowe	Fite	Hill

20th Day

Hobbie	Mathews	Reynolds	Therrell
Jackson	May	Roberts	Timmons
Jones (F)	Meeks	Robertson	Turner
King	Mims	St. John	Turnham
Kinsey	Naramore	Slate	Waggoner
Lutz	O'Daniel	Smith (K)	Waldrop
McBride	Owens	Smith (P)	Warren
McCluskey	Perloff	Snell	Weeks
McCorquodale	Porter	Stewart	Williams
McDonald	Pruitt	Stokes	Wise
McMillan	Reed (T)	Stubbs	Wynot
McNair	Reid (R)	Taylor	

—91

And the bill:

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
20th Day

1751

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1386. To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, P. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

Was taken up.

Mr. Turnham offered the following amendment to the bill:

Strike Section 4 in its entirety and insert in lieu thereof the following:

Section 4. This Act shall take effect June 1, 1973.

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carnes	Drake	Hardin
Adams	Carter	Easters	Harris
Agee	Casey	Edwards	Headley
Bank	Cauthen	Ellis	Hearn
Barkett	Collins	Erdreich	Hill
Barron	Cottingham	Falkenburg	Hobbie
Bassett	Crawford	Fite	Jackson
Benton	Cross	Flippo	Jones (F)
Boles	Crowe	Gafford	King
Boutwell	Culver	Goodwin	Kinsey
Bowers	Dill	Grainger	Lutz
Burgess	Doss	Grey (D)	McBride
Callahan	Downing	Hale	McCluskey

McCorquodale	Owens	Slate	Turner
McDonald	Perloff	Smith (K)	Turnham
McMillan	Porter	Smith (P)	Waggoner
McNair	Pruitt	Snell	Waldrop
Mathews	Reed (T)	Stewart	Warren
May	Reid (R)	Stokes	Weeks
Meeks	Reynolds	Stubbs	Williams
Mims	Roberts	Taylor	Wise
Naramore	Robertson	Therrell	Wynot
O'Daniel	St. John	Timmons	

—91

And the bill, H. 1386 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1387. To authorize the governing body of any county with populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide for the re-registration of electors of such counties; to provide procedures for such re-registration.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Cottingham
Adams	Benton	Carnes	Crawford
Agee	Boles	Carter	Cross
Bank	Boutwell	Casey	Crowe
Barkett	Bowers	Cauthen	Culver
Barron	Burgess	Collins	Dill

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Doss	Headley	Meeks	Snell
Downing	Hearn	Mims	Stewart
Drake	Hill	Naramore	Stokes
Easters	Hobbie	O'Daniel	Stubbs
Edwards	Jackson	Owens	Taylor
Ellis	Jones (F)	Perloff	Therrell
Erdreich	King	Porter	Timmons
Falkenburg	Kinsey	Pruitt	Turner
Fite	Lutz	Reed (T)	Turnham
Flippo	McBride	Reid (R)	Waggoner
Gafford	McCluskey	Reynolds	Waldrop
Goodwin	McCorquodale	Roberts	Warren
Grainger	McDonald	Robertson	Weeks
Grey (D)	McMillan	St. John	Williams
Hale	McNair	Slate	Wise
Hardin	Mathews	Smith (K)	Wynot
Harris	May	Smith (P)	

—91

And the bill:

H. 1388. Relating to counties having populations of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census, authorizing the governing bodies of such counties to provide an allowance of not less than \$600.00 nor more than \$700.00 per month for a computer operator serving all county offices in such counties, to be paid from the general funds of such counties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1420. To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Bowers	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Collins	Harris	Perloff	Warren
Cottingham	Headley	Porter	Weeks
Crawford	Hearn	Pruitt	Williams
Cross	Hill	Reed (T)	Wise
Crowe	Hobbie	Reid (R)	Wynot
Culver	Jackson	Reynolds	

—91

And the bill:

H. 1378. To provide for the regulation of strip mining of coal in all counties in the State of Alabama of population of 600,000 or more according to the last federal decennial census based on the number of tons of strip mined coal produced in such counties and to provide for the reclamation and revegetation of lands and rebuilding of roads affected by such operations in said county; to prescribe the powers and duties of the Commissioner of the State Department of Conservation and Natural Resources in connection with strip mining; to prescribe conditions for the issuance of permits; to require bonds and prescribe conditions for forfeiture thereof; to levy an excise or privilege tax on every person engaging in strip mining coal in said county; to prescribe the rate thereof and the use of the proceeds; to create a land reclamation fund for the purposes of this Act; to provide a review procedure; to prescribe penalties for violations and provide for the enforcement of the provisions of this Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 1.

Yeas:

Messrs.:	Barron	Burgess	Chesnut
Adams	Bassett	Callahan	Connell
Adwell	Benton	Carnes	Coshatt
Agee	Boles	Carter	Cottingham
Barkett	Boutwell	Cauthen	Crawford

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Cross	Hale	McNair	Smith (K)
Crowe	Hardin	May	Smith (P)
Culver	Harris	Mims	Snell
Dill	Hearn	Naramore	Stewart
Doss	Hobbie	Nettles	Stokes
Downing	Hughes	Owens	Taylor
Drake	Jones (F)	Porter	Therrell
Easters	King	Pruitt	Timmons
Erdreich	Kinsey	Reed (T)	Turner
Fite	Lang	Reid (R)	Turnham
Goodwin	Lutz	Reynolds	Waldrop
Grainger	McCluskey	Roberts	Warren
Gray (F)	McDonald	Robertson	Weeks
Gray (D)	McMillan	St. John	Williams

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Nay: Mr. Jackson.

—1

And the bill:

H. 780. (With Substitute): To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

AN ACT

To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby established and created an Inferior Court for Precincts 1 and 2 in Jefferson County, Alabama, which shall be known and designated as the Bessemer County Court, which shall be in lieu of all Justices of the Peace within said Precincts and in lieu of all Inferior Courts heretofore created in lieu of Justices of the Peace in said Precincts. Said Court shall be held in places furnished and designated by the County Commission of Jefferson County. That said Court shall have all the powers and jurisdiction now conferred or may be hereafter conferred on Justices of the Peace, or on the Bessemer Division Court and the Judge of said Court shall have and exercise all the powers and authority, perform all the duties now prescribed, or may be hereafter prescribed by law for Justices of the Peace, or for the Judge of the Bessemer Division Court, and shall have all the power and authority over the matters transacted in said Court.

The Inferior Court now known as the Bessemer Division Court is hereby abolished. All cases pending in the Bessemer Division Court, together with all documents, papers and judgments and orders of these courts shall be transferred to the Bessemer County Court created by this Act as if they had begun therein; and all judgments heretofore rendered by the Bessemer Division Court shall be valid and enforceable and the same as if they had been rendered by this Court and this Court may have full power and control over the same and may issue executions and other process thereon the same as if the judgments and orders had been originally rendered in this Court.

Section 2. That the Court hereby established shall have and exercise civil and criminal jurisdiction in all matters of which Justices of the Peace and Inferior Courts in lieu of Justices of the Peace have jurisdiction under the general laws, concurrently with the Justices of the Peace and Inferior Courts of Jefferson County, Alabama; and shall have exclusive jurisdiction in said Precincts, provided that said Court shall not have jurisdiction of Workmen's Compensation cases or civil actions of libel, slander, assault and battery, ejectment or actions in the nature of ejectment.

Section 3. That the territorial jurisdiction of the Court shall not extend over that portion of Jefferson County known and designated as the Birmingham Division of said County except in criminal cases the boundary between the Bessemer Division and the Birmingham Division shall be construed as a county line and the Judge's authority to perform marriage ceremonies shall continue to include all of Jefferson County.

Section 4. That the Judge of said Court shall have the power to punish for contempt in all cases where Judges of the Circuit Court of this State can punish for contempt by a fine not exceeding Fifty Dollars or by imprisonment not exceeding five days, or both.

Section 5. That the Judge of this Court shall be learned in the law and at least twenty-five years of age at the time of his election or appointment and during this tenure in office shall be a resident of that portion of the County comprising the territorial jurisdiction of the Court. The Judge of said Court shall hold office for a term of six years, and until his successor is elected and qualified. The Judge of the Bessemer Division Court at the time this Act goes into effect shall be the first Judge of the Court hereby established for the term ending the first Monday after the second Tuesday in January, 1979, and until his successor shall be qualified and elected. The first election for Judge shall be held in 1978. All vacancies in the Office of Judge of said Court shall be filled by appointment of the Governor for the same duration

and in the same manner Circuit Judges are appointed for the Bessemer Division of Jefferson County, Alabama when a vacancy occurs.

Section 6. That the Judge of said Court shall receive an annual salary in an amount equal to Twenty-Four Thousand Dollars (\$24,000.00) per year, payable in equal monthly installments out of the county treasury of Jefferson County, Alabama. The Judge of said Court shall not during his tenure of office practice law in any of the Courts of this State or of the United States.

Section 7. That in the absence of, disqualification or inability of the Judge of said Court to act, he shall appoint in writing a Special Judge, who shall have full power to act for and in the place of the regular Judge, said person so appointed shall at the time of his appointment to be a practicing attorney residing in the jurisdiction of said Court. In case the Judge of said Court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said Court, and shall not have appointed a Special Judge to act, it shall be the duty of the presiding Judge of the Bessemer Division of the Circuit Court upon the request of the Clerk of said Court to appoint a Special Judge, and in either event, said Special Judge shall receive the same compensation as the regular Judge of said Court during the time he serves.

Section 8. That there shall be a Clerk of said Court who shall give bond in such penal sum as the County Commission shall prescribe which bond shall be approved and filed in the office of the Probate Judge of Jefferson County, said bond conditioned to faithfully discharge the duties of his office and upon said bond there shall be the same liabilities and penalties as upon the bond of the Circuit Clerk, the premiums on said bond to be paid out of the County Treasury. There shall be a sufficient number of deputy clerks to assist the Clerk in keeping the records, issuing process and transacting the business of the office. The County Commission shall prescribe or change the number of deputy clerks it deems necessary to assist the Clerk in transacting the business of the Court, and shall fix the salaries of the Clerk and deputy clerks which shall be paid out of the County Treasury as other County Employees are paid. The first clerk of said Court shall be the present Clerk of the Bessemer Division Court. The Clerk and deputy clerks thereof shall, notwithstanding the provisions of this section, be governed and controlled with respect to their appointment, tenure of service, classification, grading the compensation by the terms of any Civil Service law which may be in effect from time to time in Jefferson County, and said Clerk and his deputies shall be entitled in determining their status under any Civil Service law to have added to their terms of service any previous service in similar positions.

Section 9. That the Constables of Precincts 1 and 2 and the Sheriff of Jefferson County shall be the officers of said Court and shall execute the processes from said Court anywhere within Jefferson County and make return thereof, and shall receive the same fees as are now provided by law for similar services, with respect to process issuing from the Courts of Justices of the Peace in said County, but the fees of the Sheriff shall be paid into the County Treasury. All writs of restitution or eviction shall be served by the Sheriff.

Section 10. That the Clerk of said Court shall issue all processes out of said Court, approve all bonds, keep a docket of said Court, certify all appeals and perform such other duties as are usually required of Clerks of

Courts. The fees and costs that are now allowed by law to Justices of the Peace, or which may be hereafter allowed by law in Courts of Justices of the Peace, shall be taxed, collected and paid into the Treasury. There shall also be taxed, collected and paid into the County Treasury a fee of One Dollar which shall be taxed in each case filed in said Court.

Section 11. That the practice, procedure, judgment, and records in this Court shall conform to and be governed by the laws applicable to practice and procedure in Justice of the Peace Courts insofar as applicable and except as otherwise provided in this Act. All judgments required to be signed shall be signed by the Judge. Judgments and the records thereof shall not be required to be more formal than those in Courts of Justices of the Peace and shall be governed by the same laws as judgments in Courts of Justices of the Peace. Every intendment is in favor of the sufficiency and validity of proceedings in this Court, when brought in question either directly or collaterally in any of the courts of this State where it appears on the face of the proceedings that this Court had jurisdiction of the subject matter and the parties.

Section 12. That this Court shall have final and exclusive jurisdiction concurrently with the Bessemer Division of the Circuit Court of Jefferson County, Alabama, in all misdemeanor cases.

Section 13. That execution may be issued on the judgment of this Court and the revivor thereof had and actions thereon maintained in the same manner and for the same length of time and in accordance with the same procedure as is or may be provided by law with respect to judgments of the Circuit Court, provided that the scire facias to revive any judgment in said Court need not be served for any greater length of time than is provided herein with respect to service of the summons, and provided further that an execution from said Court need not have thereon an itemized statement of the bill of costs. The judgments of this Court shall be subject to registration in the same manner and in accordance with the same procedure as is or may be provided by law for the registration of judgments of the Circuit Court, and the liens thereof shall attach and execution be issued thereon in the same manner and to the same extent and for the same length of time as is or may be provided by law with respect to Circuit Court judgments.

Section 14. That the summons must be issued by the Clerk of the Court, and accompanied by the complaint of the plaintiff or by an endorsement setting forth the cause of action, but a complaint shall be sufficient if it contains such information as is required by law with respect to endorsements on the summons of courts of justices of the peace. The summons must be executed by the constable, sheriff or other officer authorized to serve process by leaving a copy of the summons and complaint or summons with the cause of action thereon with the defendant which fact he must return with the process. No party shall be treated as in default until the return date of the summons nor until after the lapse of at least three days from date of service in cases other than forcible entry and unlawful detainer nor in cases of forcible entry and unlawful detainer until after the lapse of at least six days from date of service of the summons. All garnishments shall be answerable on or before nine o'clock A.M. on the return day of the writ and the court may render a conditional judgment against any garnishee who after proper service of the writ fails to answer on or before such time. No more than three days service of any rule or notice to show cause why a conditional judgment should not be made final shall be necessary in any garnishment proceedings in this Court. In all garnishment cases the garnishee must answer under oath according to

the terms of the garnishment but the Clerk need not give notice of the filing of the answer to either the plaintiff or the defendant. The garnishee may, if required by the plaintiff (which request need not be in writing) be examined orally in the presence of the Court. If the answer of the garnishee is reasonably filed any request by plaintiff for oral examination must be made within thirty days from the return date of the writ of garnishment, and in the absence of such request or of a contest instituted within thirty days from the return date, the garnishee shall be entitled to stand upon his answer as made. Service of any notice proper to be made by publication may be perfected by one insertion of the notice and after ten days from the date of publication of any such notice the party so notified and failing to appear shall be treated as in default. In the garnishment proceedings in said Court, the court may upon motion of any party in interest and reasonable notice to the party or parties adversely affected, not less than three days, and whether the garnishee has answered or not, hear and determine the right of exemption of the defendant in garnishment with respect to the monies or property garnished.

Section 15. That the Judge of this Court shall make any and all necessary rules for the conduct of the Court and the officers thereof, for the filing and trying of cases, for the distribution and service of the processes of the Court and generally with respect to the duties of the various officers of the Court in their relation to the Court, the authority herein specifically granted not to be construed as limiting authority generally and usually exercised by judges in making and enforcing the rules of the Court.

Section 16. That the said Court shall have the power to set aside, vacate or modify its judgments upon motion made in writing within ten days after the rendition of same, which said motion must be promptly determined. The Court may be open for business and render default or other judgments at any time after nine o'clock in the morning of each day and all processes of the Court where no time is otherwise fixed shall be returnable at nine o'clock A.M. of the return day.

Section 17. In case of emergency the Judge of said Court may appoint suitable persons to act as constable without bond, except as hereinafter provided; and the persons so appointed must perform the same duties and are liable to the same pains and penalties, and are entitled to the same fee and compensation as regular constables; but such special constables are not authorized to levy or collect executions, attachments or writs of detinue, unless prior to the levying or collecting of executions, attachments or writs of detinue, he execute a bond in the sum of twice the value of the property to be levied on, payable to the defendant as is required by law, with sureties to be approved by the Judge appointing such special constables.

Section 18. That all cases in said Court shall be tried by the judge of said Court without the intervention of a jury, the Judge determining both the law and the facts and any party shall have the right to appeal to the Circuit Court, Bessemer Division within five days from entry of judgment and on appeal either party may demand a jury trial under the same rules as are provided by law for demand for jury trials in cases of appeals from judgments of Justices of the Peace and the trial in said Circuit Court shall be de novo and according the same procedure as applied to appeals from judgments of Justices of the Peace.

Section 19. That appeals from judgments of said Court to the Circuit Court in cases of forcible entry and unlawful detainer shall be taken within

the same time and in the same manner and upon the same conditions with respect to bonds and surety as are applicable to appeals in like cases from Justices of the Peace Courts.

Section 20. That any party desiring to appeal shall give bond with sureties to be approved by the Clerk conditioned to pay all costs which may be taxed against him in the Circuit Court. If the judgment appealed from is for the payment of money or for recovering of personal property and the party appealing desires to have the judgment superseded he shall give bond with sureties to be approved by the Clerk and payable to the party or parties in whose favor the judgment was rendered and in such penalty as the Judge may prescribe conditioned to pay and satisfy such judgment and costs as may be awarded and taxed against him on the trial of the case in the Circuit Court. All such bonds shall be filed with and approved by the Clerk within five days from the rendition of the judgment from which appeal is taken. This section shall not be applicable to judgments in forcible entry and unlawful detainer cases.

Section 21. Certioraries from this Court may be granted by Judges of the Circuit Court and trials de novo had in the Circuit Court for the same causes and upon the same conditions and according to the same procedure as apply to statutory certioraries from judgments of Justices of the Peace and all certificates and notices with respect to same shall be issued by the Clerk.

Section 22. The Judge of this Court shall be authorized to take and have a vacation, with pay during such vacation. Whenever the Judge desires to take a vacation as herein provided and absents himself from the Court, he shall be and is hereby empowered to appoint a Special Judge to act as Special Judge in his absence, and in the event that the regular Judge should absent himself without having appointed a Special Judge, the Presiding Judge of the Bessemer Division of the Circuit Court of Jefferson County, Alabama, shall upon the request of the Clerk of the Court appoint a Special Judge who shall perform all the duties of the regular Judge of said Court and while acting as such Special Judge shall have and exercise all the powers and authority of the regular Judge and he shall be paid out of the Treasury of the County for the time he acts as Special Judge the same compensation fixed herein to be paid the regular Judge.

Section 23. That it shall be the duty of the Clerk to issue an execution in all judgments rendered in said Court after five days from the entry thereof and place the same in the hands of the sheriff or other officer of the Court who shall return such execution within sixty days thereafter, said return to show that he has collected said judgment and paid the same or the amount collected, or is unable to find property of the person against whom the process issued out of which said execution can be satisfied in whole or in part.

Section 24. That if it shall appear to the Clerk that in any case where an execution has been returned unsatisfied as to the costs of said cause and in the opinion of the Clerk said costs can be collected by an alias execution, the Clerk may issue such alias execution and may direct the sheriff or constable as to what property can be levied upon to satisfy said judgment, and the Clerk may issue in such cases such other and further execution as he may deem necessary to enforce payment of costs against any party liable to execution for costs whether plaintiff or defendant.

Section 25. That when in any case execution against the defendant is returned "No property found" execution may issue against the plaintiff, in

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the name of the Clerk, for all costs created by him in obtaining his judgment and attempting to collect the same.

Section 26. The Judge or Clerk shall have authority to certify the records and proceedings of said Court and when thus properly authenticated such records shall be admissible in evidence in all the Courts of the State of Alabama, when relevant to an issue being tried.

Section 27. In any case in this court wherein a final judgment has been entered, any of the files or records of said case may be photographed and preserved on film such as microfilm or other similar photographic process, which film or photographic record may be retained in lieu of the original papers or records, and thereafter any of said original papers and records may be destroyed, provided that in any case wherein a judge of this court may so order, the original papers and records may be preserved until further order of the court. The County Commission of Jefferson County may provide the equipment, machinery, supplies and personnel necessary for the establishment and operation of a microfilm system, or similar photographic process, for recording and preserving the records of this court.

Section 28. This Court shall have exclusive and final jurisdiction concurrently with the Circuit Courts of Jefferson County, Alabama, in all misdemeanor cases arising in the Bessemer Division of Jefferson County, Alabama.

Section 29. Upon the conviction of any defendant in misdemeanor cases in said Court, the Court shall have the right to suspend the sentence and remit fines and/or costs whenever in the discretion of said Court the same may be advisable.

Section 30. That the Judge of said Court is hereby authorized and empowered to perform marriage ceremonies and collect and retain as a part of the prerequisites of his office the fees which are now or may be allowed by law.

Section 31. The Judge of this Court may designate in writing by general order, which shall continue until revoked by a general order of said Judge, the Clerk, deputy clerks, warrant clerks, or bailiff as ex-officio Judge of said Court, and the said ex-officio Judge so designated shall have the power and authority to issue legal process from said Court, to take affidavits and to issue warrants of arrest returnable to said Court or any other court having jurisdiction of the offense in said County, to examine complaints and witnesses and to examine into facts preliminary to the issuance of a warrant of arrest as required by law, and to fix bail in all cases where a person charged with crime is entitled to bail under any warrant issued by him and to keep a record of all processes, warrants and other matters handled by him as ex-officio Judge. The said ex-officio Judge shall have the power and authority to issue commitments to and releases from jail, and to take and approve appearance bonds in all cases triable by said Court. The said ex-officio Judge shall not have the right or authority to try cases.

Section 32. That in addition to the power and jurisdiction herein conferred upon said Court it shall have and is hereby given the authority and jurisdiction to sentence to perform hard labor for the County of Jefferson for the payment of fine and costs in the same manner and to the same extent as the Circuit Court of this State have authority and jurisdiction to do.

Section 33. If the defendant fails to appear as required by his bond said Court shall enter a forfeiture against him and his sureties, and said Court shall have the authority to issue and shall cause to issue sci. fa's. to the bondsmen which shall be returnable in not less than twenty days from the issuance date, and upon final hearing said Court shall have the authority to pass upon the forfeiture and to make same final, or to take such other action as the Circuit Court of said County may be authorized to take in case of appearance bonds in said Circuit Court. Said Judge shall issue an alias warrant for the arrest of the defendant.

Section 34. That there shall be taxed as a part of the costs in each misdemeanor case tried in said Court a trial tax of Five (\$5.00) Dollars and a Solicitor's fee of Five (\$5.00) Dollars which shall be in addition to the other costs herein provided for and which shall be collected as other costs are collected and paid into the County Treasury.

Section 35. That in the trial of cases before this Court, the accused shall have no right to demand a trial by jury, that the Judge shall determine both the law and the facts, without the intervention of a jury, and shall award such punishment in misdemeanor cases as the character of the offense may demand, and render such judgment in other cases as in his judgment may seem right and proper, and in the trial of misdemeanor cases no statement of the offense need be made other than that contained in the affidavit and warrant of arrest.

Section 36. That appeals from judgments rendered in said Court in cases over which this Court has final jurisdiction may be taken by the defendant in misdemeanor cases and by either the plaintiff or defendant in civil cases to the Bessemer Division of the Circuit Court of Jefferson County, Alabama, within five days after the rendition of said judgment, except as herein otherwise provided, in the manner as is provided by law for appeals to be taken from Justices of the Peace Courts of this State to Circuit Courts of this State and a Jury may be had on demand of the defendant in misdemeanor cases, and on demand of either party in civil cases as provided by law, and all appeals taken as herein provided for shall be tried de novo and be preferred cases in said Circuit Court and shall be governed in all respects by the rules and regulations provided by law for the trial of appeals in Circuit Courts from Justices of the Peace Courts of this State, insofar as the same may be applicable.

Section 37. That the Judge of said Court has the power and authority to require the Sheriff of this County, or one of his deputies to attend upon the sessions of said Court; and shall have all the power and authority interent in the Judge of a Court of law and conferred by general statutes of the State in reference to bonds, commitments and recognizances.

Section 38. The judgements in Civil and Criminal cases shall conform as nearly as practicable to judgments in such cases in Justices of the Peace Courts of this State.

Section 39. If the defendant fails to appear as required by his bond and a forfeiture is taken, such forfeiture shall conform as near as practicable to the form of Circuit Court of this State.

Section 40. That any prosecution in said Court, if it appears to the Court that such prosecution is frivolous or malicious the Court shall after hearing the facts render summary judgment and tax the prosecutor or person

who made the complaint or affidavit with the costs, and when the costs are imposed on the prosecutor or person who made the complaint or affidavit he may confess judgment for the same with good and sufficient sureties, and failing to do so presently pay the same, such person must be imprisoned in the County Jail or sentenced to hard labor for the Jefferson County for the payment of same for such a term as may be required to pay the same not to exceed ten days.

Section 41. That on the passage and approval of this Act all offices of Justices of the Peace and Notary Public ex-officio Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in Precincts 1 and 2, Jefferson County, Alabama, are abolished and after the passage and approval of this Act, no other Justice of the Peace shall be elected or appointed in Precincts 1 and 2, Jefferson County, Alabama subject and according to the provisions of Act. No. 414, Acts of Alabama, Regular Session 1953, page 513.

Section 41-A. That the provisions of this Act shall not take away any jurisdiction or power from any Inferior Court established in a place other than in the City of Bessemer or the City of Fairfield, neither shall the provisions of this Act take away any jurisdiction or power from the Domestic Relations or Juvenile Courts of this County. Provided further, that in no event shall be the territorial jurisdiction of the Court hereby created extend over or be construed to include territory beyond that that is or may be hereafter included in the territorial jurisdiction of the Circuit Court of Jefferson County, Alabama, sitting at Bessemer in said County.

Section 42. That the Judge of the Court herein created shall be ex-officio Judge of any other inferior civil or intermediate civil court heretofore or hereafter created by legislative act for Precincts 1 and 2 in Jefferson County, Alabama, unless said Legislative Act specifically provides for another Judge.

Section 43. This Court shall be a Court of record with a seal, and the Judge or Clerk thereof shall have authority to certify the records and proceedings of said Court. The Judge shall adopt a seal for this Court which shall be kept in the custody of the Clerk. This Court shall have civil jurisdiction in amounts up to but not exceeding Five Hundred (\$500.00) Dollars.

Section 44. That witnesses in criminal cases before said Court shall be entitled to Two (\$2.00) Dollars per day to be collected by the Clerk and paid over to the witness upon collection of the same. It shall be incumbent upon the witness to prove his attendance at the time of his appearance in Court. All witness fees shall be taxed as costs and collected by the Clerk of the Court. Upon failure of the witness to prove his attendance he shall be barred from making any claim for same. That any person entitled to fees as a witness in said Court shall have six months from the date of collection of said fee in the case at which he attended as such witness to collect such fees and failing to do so the Clerk of the Court shall after the expiration of said six (6) months pay such fees into the general fund of said County.

Section 44-A. Any fees or costs in the hands of the Clerk of the Court which have been refused or uncalled for by the rightful owner thereof for a period of one year shall be paid over to the County Treasurer for further handling of such funds; any judgments which have been refused or uncalled for for a period of one year shall be paid over to the County Treasurer for the further handling of said funds.

Section 45. That all laws, general, special or local in conflict with the provisions of this Act are hereby repealed.

Section 46. This Act shall become effective upon its approval by the Governor, or upon its otherwise becoming a Law.

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Messrs.:	Cross	Hobbie	Reid (R)
Adams	Culver	Hughes	Reynolds
Adwell	Dill	Jackson	Roberts
Agee	Doss	Jones (F)	Robertson
Barkett	Downing	King	St. John
Barron	Drake	Lang	Smith (K)
Boles	Easters	Lutz	Smith (P)
Boutwell	Edwards	McDonald	Snell
Burgess	Erdreich	McMillan	Stewart
Callahan	Falkenburg	McNair	Stokes
Carnes	Fite	May	Therrell
Carter	Flipppo	Meeks	Timmons
Cauthen	Goodwin	Mims	Turner
Chesnut	Grainger	Naramore	Turnham
Collins	Gray (F)	Nettles	Waldrop
Connell	Grey (D)	Porter	Warren
Coshatt	Hale	Pruitt	Weeks
Cottingham	Harris	Reed (T)	Williams
Crawford	Hearn		

—73

And the bill, H. 780 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Messrs.:	Culver	Hearn	Reed (T)
Adwell	Dill	Hobbie	Reid (R)
Agee	Doss	Hughes	Reynolds
Barkett	Downing	Jackson	Roberts
Barron	Drake	Jones (F)	Robertson
Bassett	Easters	King	St. John
Boles	Edwards	Lang	Smith (K)
Boutwell	Erdreich	Lutz	Smith (P)
Burgess	Falkenburg	McDonald	Snell
Callahan	Fite	McMillan	Stewart
Carnes	Flipppo	McNair	Stokes
Carter	Goodwin	May	Taylor
Cauthen	Grainger	Meeks	Therrell
Chesnut	Gray (F)	Mims	Timmons
Collins	Grey (D)	Nettles	Turnham
Connell	Hale	Owens	Waldrop
Coshatt	Hardin	Porter	Weeks
Crawford	Harris	Pruitt	Williams
Cross			

—72

UNFINISHED BUSINESS

The House then proceeded to the consideration of the unfinished business.

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And the bill:

H. 1295. To amend Section 38, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists, when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place, and providing notice be given the electors of their voting location.

Having been amended on the nineteenth legislative day, was taken up.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Messrs. Goodwin, Reynolds, Agee, Benton and Wynot for their names to be removed as co-sponsors to the bill, H. 1295.

Mr. Bassett offered the following amendment #1 to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

"However, this act shall not apply in Butler, Bibb, Hale, Baldwin, Clarke, Washington and Choctaw Counties."

MOTION TO TABLE LOST

The motion of Mr. Gafford to table the amendment #1 offered by Mr. Bassett to the bill, H. 1295 as amended, was lost.

Yeas 25; Nays 31.

Yeas:

Messrs.:	Ellis	McNair	Stokes
Boles	Falkenburg	Meeks	Therrell
Carnes	Grainger	Naramore	Timmons
Collins	Hughes	Perloff	Turnham
Cottingham	Lutz	Porter	Waggoner
Culver	McBride	Slate	Weeks
Downing	McMillan		

—25

Nays:

Mr. Speaker	Connell	Goodwin	McDonald
Adams	Coshatt	Gray (F)	Mims
Barkett	Crowe	Hardin	Owens
Barron	Easters	Harris	Reynolds
Bassett	Edwards	Headley	Stubbs
Benton	Fite	Hill	Warren
Boutwell	Flipppo	Jackson	Wise
Callahan	Gafford	King	

—31

The question was then on the adoption of the amendment #1 offered by Mr. Bassett to the bill, H. 1295 as amended, and the amendment was adopted.

Yeas 31; Nays 23.

Yeas:

Messrs.:	Bassett	Boutwell	Connell
Adams	Benton	Callahan	Coshatt
Barron	Boles	Carnes	Cross

Crowe	Hardin	McDonald	Roberts
Edwards	Jackson	Mims	Slate
Goodwin	King	O'Daniel	Snell
Gray (F)	Kinsey	Owens	Turnham
Grey (D)	McCluskey	Reynolds	Wise

—31

Nays:

Messrs.:	Faikenburg	McBride	Reid (R)
Barkett	Fite	McMillan	Stokes
Collins	Grainger	McNair	Therrell
Culver	Hill	Meeks	Timmons
Dill	Hughes	Naramore	Turner
Downing	Lutz	Porter	Waggoner

—23

Mr. Bassett offered the following amendment #2 to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

"However, this act shall not apply in Crenshaw, Lee and Russell Counties."

MOTION TO TABLE LOST

The motion of Mr. Gafford to table the amendment #2 offered by Mr. Bassett to the bill, H. 1295 as amended, was lost.

Yeas 27; Nays 29.

Yeas:

Messrs.:	Downing	Lutz	Slate
Cauthen	Ellis	McBride	Snell
Chesnut	Faikenburg	McMillan	Stokes
Collins	Gafford	McNair	Therrell
Cottingham	Grainger	Meeks	Timmons
Culver	Hale	Naramore	Waggoner
Dill	King	Porter	Weeks

—27

Nays:

Mr. Speaker	Carnes	Gray (F)	Mims
Adams	Connell	Hardin	Owens
Barkett	Coshatt	Harris	Reynolds
Barron	Easters	Headley	Stubbs
Bassett	Edwards	Hearn	Turnham
Benton	Fite	Jackson	Warren
Boutwell	Goodwin	McDonald	Wise
Callahan			

—29

The question was then on the adoption of the amendment #2 offered by Mr. Bassett to the bill, H. 1295 as amended, and the amendment was adopted.

Yeas 34; Nays 20.

Yeas:

Messrs.:	Bassett	Boutwell	Connell
Adams	Benton	Callahan	Coshatt
Barron	Boles	Cauthen	Cross

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Crowe	Gray (F)	Lang	Slate
Drake	Hardin	McDonald	Stokes
Easters	Headley	Mims	Stubbs
Edwards	Hearn	Owens	Turnham
Fite	Hughes	Reed (T)	Wise
Goodwin	Jackson	Reynolds	

—34

Nays:

Messrs.:	Downing	McBride	Porter
Carnes	Erdreich	McMillan	Snell
Chesnut	Falkenburg	McNair	Therrell
Collins	Grainger	Meeks	Waggoner
Culver	Lutz	Naramore	Weeks
Dill			

—20

Mr. Bassett offered the following amendment #3 to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

"However, this act shall not apply in Pike, Geneva and Covington Counties."

AMENDMENT TABLED

On motion of Mr. Gafford the amendment #3 offered by Mr. Bassett to the bill, H. 1295 as amended, was tabled.

Yeas 28; Nays 26.

Yeas:

Messrs.:	Ellis	King	Perloff
Boles	Erdreich	Lutz	Snell
Carnes	Falkenburg	McBride	Stokes
Collins	Fite	McMillan	Therrell
Cottingham	Gafford	McNair	Timmons
Culver	Grainger	Meeks	Waggoner
Dill	Hughes	Naramore	Weeks
Downing			

—28

Nays:

Mr. Speaker	Callahan	Gray (F)	Mims
Adams	Connell	Hardin	Reed (T)
Barkett	Cross	Harris	Reynolds
Barron	Crowe	Headley	Turnham
Bassett	Drake	Jackson	Warren
Benton	Edwards	McDonald	Wise
Boutwell	Goodwin		

—26

H. 1295 TEMPORARILY POSTPONED

On motion of Mr. Gafford the bill, H. 1295 as amended, was temporarily postponed.

Yeas 60; Nays 19.

Yeas:

Mr. Speaker	Barron	Bowers	Casey
Bank	Boles	Burgess	Cauthen
Barkett	Boutwell	Carter	Chesnut

Collins	Erdreich	Kinsey	Reid (R)
Connell	Falkenburg	McBride	Roberts
Cottingham	Fite	McCluskey	Smith (K)
Cross	Flippo	McMillan	Snell
Crowe	Goodwin	McNair	Stokes
Culver	Hale	Mathews	Therrell
Dill	Harris	Meeks	Timmons
Downing	Hearn	Naramore	Turner
Drake	Hill	Owens	Turnham
Easters	Hobbie	Perloff	Waggoner
Edwards	Hughes	Porter	Weeks
Ellis	King	Pruitt	Williams

—60

Nays:

Messrs.:	Grainger	Lutz	Reynolds
Adams	Grey (D)	McDonald	Stubbs
Bassett	Hardin	Mims	Waldrop
Benton	Headley	Nettles	Warren
Carnes	Jackson	Reed (T)	Wise

—19

MOTION TO SUSPEND RULES LOST

The motion of Mr. Grainger to suspend the rules in order to bring up out of order the bill, H. 736, was lost, lacking a four-fifths vote.

Yeas 60; Nays 17.

Yeas:

Messrs.:	Ellis	Lang	St. John
Agee	Falkenburg	Lutz	Smith (P)
Bank	Fite	McDonald	Snell
Barron	Flippo	McMillan	Stokes
Benton	Gafford	McNair	Stubbs
Boles	Goodwin	Mathews	Taylor
Boutwell	Grainger	May	Therrell
Carnes	Grey (D)	Meeks	Timmons
Carter	Hale	Naramore	Turner
Casey	Harris	Nettles	Turnham
Coshatt	Hearn	O'Daniel	Waggoner
Cottingham	Hill	Reed (T)	Waldrop
Dill	Hobbie	Reid (R)	Weeks
Downing	Hughes	Reynolds	Williams
Easters	King	Roberts	Wynot
Edwards			

—60

Nays:

Mr. Speaker	Connell	Headley	McCluskey
Adams	Culver	Jackson	McCorquodale
Bassett	Drake	Kinsey	Mims
Chesnut	Hardin	McBride	Warren
Collins			

—17

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

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S. J. R. 54. Mourning the death of Judge William B. Nolen.

Also:

S. J. R. 60. Naming the Health and Physical Education Building at Jacksonville State University the Pete Mathews Coliseum.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

And the bill:

H. 856. (With Amendments): To define the crime of looting and provide penalties for the commission thereof.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 856 in Section 1 by striking out the words "large scale".

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cross	Hearn	Reed (T)
Adams	Crowe	Hill	Reid (R)
Agee	Culver	Hobbie	Reynolds
Bank	Dill	Hughes	Roberts
Barkett	Downing	Jackson	Smith (K)
Barron	Drake	Jones (F)	Snell
Bassett	Easters	King	Stewart
Benton	Edwards	Kinsey	Stokes
Boles	Ellis	Lutz	Stubbs
Boutwell	Falkenburg	McBride	Therrell
Burgess	Fite	McCluskey	Timmons
Callahan	Flippo	McDonald	Turner
Carnes	Gafford	McMillan	Turnham
Carter	Goodwin	McNair	Waggoner
Casey	Grainger	May	Waldrop
Chesnut	Grey (D)	Meeks	Warren
Collins	Hale	Naramore	Weeks
Connell	Hardin	Nettles	Williams
Coshatt	Harris	O'Daniel	Wise
Cottingham	Headley	Porter	Wynot

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 856 in Section 2 by striking out the last sentence in its entirety.

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Messrs.:	Crowe	Hearn	Reid (R)
Adams	Culver	Hill	Reynolds
Agee	Dill	Hobbie	Roberts
Bank	Downing	Hughes	St. John
Barkett	Drake	Jackson	Smith (K)
Barron	Easters	King	Snell
Bassett	Edwards	Kinsey	Stewart
Benton	Ellis	Lang	Stokes
Boles	Erdreich	Lutz	Stubbs
Boutwell	Falkenburg	McBride	Taylor
Burgess	Fite	McCluskey	Therrell
Callahan	Flippo	McDonald	Timmons
Carnes	Gafford	McMillan	Turnham
Carter	Goodwin	McNair	Waggoner
Casey	Grainger	May	Waldrop
Chesnut	Gray (F)	Meeks	Warren
Collins	Grey (D)	Naramore	Weeks
Connell	Hale	Nettles	Williams
Coshatt	Hardin	O'Daniel	Wise
Cottingham	Harris	Porter	Wood
Cross	Headley	Pruitt	Wynot

—83

And the bill, H. 856 as thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 5.

Yeas:

Mr. Speaker	Connell	Goodwin	McMillan
Adams	Coshatt	Grainger	May
Adwell	Cottingham	Grey (D)	Meeks
Bank	Cross	Hale	Naramore
Barkett	Crowe	Headley	Nettles
Barron	Culver	Hearn	O'Daniel
Bassett	Dill	Hill	Porter
Benton	Downing	Hobbie	Pruitt
Boles	Drake	Hughes	Reid (R)
Boutwell	Easters	Jackson	Reynolds
Burgess	Edwards	King	Roberts
Callahan	Ellis	Kinsey	St. John
Carnes	Erdreich	Lang	Smith (K)
Carter	Falkenburg	Lutz	Snell
Chesnut	Fite	McCluskey	Stewart
Collins	Gafford	McDonald	Stokes

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Stubbs	Turner	Waldrop	Wise
Therrell	Turnham	Warren	Wood
Timmons	Waggoner	Weeks	Wynot
—76			

Nays:

Messrs.:	Flippo	Jones (F)	Taylor
Cauthen	Harris		
—5			

And the bill:

H. 700. To provide that a retired member of the State Employees' Retirement System may earn up to \$4,800 from any source without affecting their retirement pay.

Was taken up.

H. 700 POSTPONED

On motion of Mr. Stewart, the bill, H. 700 was postponed to the twenty-first legislative day.

And the bill:

H. 804. To provide that a retired member of the Teachers' Retirement System of Alabama may earn up to \$4,800 from any source without affecting their retirement pay.

Was taken up.

H. 804 POSTPONED

On motion of Mr. Stewart the bill, H. 804 was postponed to the twenty-first legislative day.

And the bill:

H. 169. To amend Title 48, Section 462, Code of Alabama 1940, which relates to unlawful riding on trains and busses, so as to increase the penalty therefor.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 14.

Yeas:

Messrs.:	Casey	Fite	Lutz
Adams	Chesnut	Grainger	McDonald
Agee	Collins	Gray (F)	Mathews
Bank	Connell	Hardin	May
Barkett	Crawford	Harris	Meeks
Barron	Cross	Headley	O'Daniel
Bassett	Crowe	Hobbie	Owens
Benton	Culver	Hughes	Porter
Boles	Downing	Jackson	Pruitt
Boutwell	Easters	Jones (F)	Reed (T)
Burgess	Edwards	King	Roberts
Carnes	Ellis	Kinsey	St. John
Carter	Falkenburg	Lang	Smith (K)

Smith (P)
Snell
Stokes
Stubbs

Therrell
Turner
Turnham

Waggoner
Warren
Weeks

Wise
Wood
Wynot

—64

Nays:

Messrs.:
Dill
Erdreich
Flippo

Gafford
Goodwin
Grey (D)
Hill

McMillan
McNair
Reynolds
Slate

Stewart
Timmons
Waldrop

—14

And the bill:

H. 874. To amend Title 48, Sections 215, 216, 217, 222, and 223, Alabama Code 1940, which provides for the appointment and exercise of powers of Railway Policemen, so as to provide the Governor power to enter into reciprocal agreements with other states, allowing Railway Policemen to exercise their power and authority in other states; to allow such policemen to register with the Secretary of State.

Was taken up.

H. 874 POSTPONED

On motion of Mr. Boles, the bill, H. 874, was postponed to the twenty-first legislative day.

And the bill:

H. 894. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Burgess
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Cottingham
Cross
Crowe

Culver
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hardin
Harris
Headley
Hearn
Hill
Hobbie

Hughes
Jackson
Jones (F)
King
Kinsey
Lang
Lutz
McCluskey
McDonald
McMillan
McNair
Mathews
May
Meeks
Naramore
O'Daniel
Owens
Porter
Pruitt
Reed (T)
Reid (R)

Reynolds
Roberts
St. John
Slate
Smith (K)
Smith (P)
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Weeks
Williams
Wise
Wood
Wynot

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UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Messrs. McDonald, Bank, Culver, Turnham and Burgess for their names to be added as co-sponsors to the bill, H. 886.

And the bill:

H. 886. To provide for privileged communications with clergymen.
Was taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend H. 886 by striking the words in Section 2 as follows:

"and to prevent the other from disclosing".

And the amendment was adopted.

Yeas 65; Nays 4.

Yeas:

Messrs.:	Cross	Harris	Pruitt
Adams	Culver	Hearn	Reed (T)
Adwell	Dill	Hill	Roberts
Bank	Downing	Hughes	Robertson
Barkett	Drake	King	St. John
Barron	Easters	Lang	Smith (K)
Bassett	Edwards	Lutz	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McDonald	Stokes
Boutwell	Fite	McMillan	Therrell
Bowers	Flippo	McNair	Timmons
Carnes	Goodwin	Meeks	Turner
Carter	Grainger	Naramore	Waggoner
Casey	Gray (F)	Nettles	Waldrop
Chesnut	Grey (D)	Perloff	Warren
Collins	Hale	Porter	Wynot
Coshatt	Hardin		

—65

Nays:

Messrs.:	Crawford	Taylor	Wood
Cottingham			

—4

MOTION TO POSTPONE H. 886

Mr. Burgess offered the motion that the bill, H. 886 as amended, be postponed to the twenty-first legislative day.

MOTION TO TABLE LOST

The motion of Mr. Lutz to table the motion offered by Mr. Burgess, that the bill, H. 886 as amended, be postponed to the twenty-first legislative day, was lost.

Yeas 35; Nays 39.

Yeas:

Messrs.:	Barkett	Carnes	Doss
Adams	Barron	Coshatt	Downing
Bank	Bassett	Cross	Edwards

Flippo	Hearn	McCluskey	Snell
Goodwin	Hill	McDonald	Stokes
Grainger	Hobbie	Reed (T)	Taylor
Gray (F)	Jones (F)	Reid (R)	Turner
Hale	King	St. John	Waldrop
Hardin	Lutz	Smith (K)	Wynot

—35

Nays:

Messrs.:	Cottingham	McMillan	Robertson
Boles	Crawford	McNair	Slate
Boutwell	Culver	Mims	Smith (P)
Burgess	Dill	Naramore	Stewart
Callahan	Drake	Nettles	Stubbs
Carter	Erdreich	Owens	Therrell
Casey	Fite	Perloff	Timmons
Cauthen	Harris	Pruitt	Waggoner
Chesnut	Headley	Reynolds	Warren
Collins	Hughes	Roberts	Wood

—39

MOTION TO POSTPONE H. 886 LOST

The question was then on the motion offered by Mr. Burgess that the bill, H. 886 as amended, be postponed to the twenty-first legislative day, and the motion was lost.

Yeas 32; Nays 46.

Yeas:

Messrs.:	Cottingham	Mims	Smith (P)
Bassett	Crawford	Naramore	Stewart
Boles	Doss	Owens	Stokes
Boutwell	Fite	Perloff	Stubbs
Burgess	Harris	Reynolds	Therrell
Callahan	Headley	Roberts	Waggoner
Casey	Hughes	Robertson	Williams
Chesnut	McCluskey	Slate	Wood
Collins			

—32

Nays:

Messrs.:	Downing	Hill	Pruitt
Adams	Drake	Hobbie	Reid (R)
Bank	Easters	Jackson	St. John
Barkett	Edwards	Jones (F)	Smith (K)
Barron	Ellis	King	Snell
Bowers	Flippo	Lang	Taylor
Carnes	Gafford	Lutz	Timmons
Carter	Goodwin	McDonald	Turner
Cauthen	Grainger	McMillan	Waldrop
Coshatt	Gray (F)	McNair	Warren
Cross	Hale	Meeks	Wynot
Dill	Hearn	Nettles	

—46

Mr. Erdreich offered the following amendment to the bill, H. 886 as amended:

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Amend Section 2 (b) adding at the end the following:

“; provided further, if the person communicating with the clergyman waives the privilege, the privilege is waived for both the clergyman and said person.”

And the amendment was adopted.

Yeas 62; Nays 3.

Yeas:

Messrs.:	Crawford	Hughes	St. John
Adams	Cross	Jackson	Slate
Bank	Dill	Jones (F)	Smith (K)
Barron	Downing	King	Smith (P)
Bassett	Drake	Lutz	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McDonald	Stokes
Boutwell	Flippo	McMillan	Stubbs
Carnes	Goodwin	McNair	Timmons
Carter	Grainger	Mathews	Turner
Casey	Gray (F)	Meeks	Waldrop
Cauthen	Hale	Mims	Weeks
Chesnut	Hardin	Nettles	Williams
Collins	Hearn	O'Daniel	Wood
Connell	Hill	Porter	Wynot
Coshatt	Hobbie	Reynolds	

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Nays: Messrs. Cottingham, Fite and Taylor.

—3

MOTION TO POSTPONE TABLED

On motion of Mr. Lutz, the motion offered by Mr. Burgess to postpone the bill, H. 886 as amended, to the twenty-second legislative day, was tabled.

Yeas 47; Nays 28.

Yeas:

Messrs.:	Easters	Hobbie	Nettles
Adams	Edwards	Hughes	Reid (R)
Bank	Ellis	Jones (F)	Reynolds
Barkett	Flippo	King	Roberts
Barron	Gafford	Lang	St. John
Benton	Goodwin	Lutz	Smith (K)
Carnes	Grainger	McCluskey	Snell
Carter	Gray (F)	McDonald	Taylor
Cross	Hale	McMillan	Timmons
Culver	Hardin	May	Waldrop
Dill	Hearn	Meeks	Warren
Downing	Hill	Mims	Weeks

—47

Nays:

Messrs.:	Cauthen	Jackson	Slate
Adwell	Chesnut	McNair	Stewart
Bassett	Connell	Mathews	Stokes
Boles	Crawford	Naramore	Stubbs
Boutwell	Erdreich	O'Daniel	Therrell
Bowers	Fite	Perloff	Waggoner
Burgess	Harris	Robertson	Wood
Casey			

—28

Mr. Wood offered the following amendment to the bill, H. 886 as amended:

Amend H. B. 886 by adding the following to Section 1:

The provisions of this Act shall not apply to Mobile County.

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by Mr. Wood to the bill, H. 886 as amended, was tabled.

Yeas 56; Nays 24.

Yeas:

Messrs.:	Downing	Hobbie	Reid (R)
Adams	Drake	Jackson	Reynolds
Adwell	Edwards	Jones (F)	Roberts
Bank	Ellis	King	St. John
Barkett	Erdreich	Lang	Smith (K)
Barron	Flippo	Lutz	Smith (P)
Bassett	Goodwin	McCluskey	Snell
Boutwell	Grainger	McDonald	Stubbs
Cauthen	Gray (F)	McMillan	Taylor
Chesnut	Grey (D)	McNair	Timmons
Collins	Hale	Meeks	Turner
Coshatt	Hardin	O'Daniel	Waldrop
Crawford	Hearn	Owens	Weeks
Cross	Hill	Porter	Wynot
Dill			

—56

Nays:

Messrs.:	Connell	Mims	Stewart
Boles	Crowe	Naramore	Stokes
Bowers	Culver	Nettles	Therrell
Burgess	Fite	Perloff	Waggoner
Carnes	Headley	Robertson	Warren
Carter	Hughes	Slate	Wood
Casey			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 73. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 24, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lyons, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 73, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H. R. 157. REQUIRING FULL DISCLOSURE BY MR. ROBERT BONNER FOR ALL AMOUNTS OF MONEY HE SPENDS ON PURCHASE OF COCA COLAS, ICE CREAM CONES AND SANDWICHES FOR THE LEGISLATURE AND TIPS AND GRATUITIES HE RECEIVES THEREFOR.

WHEREAS, Mr. Robert Bonner, who is employed by the Clerk of the House of Representatives, is often detailed to purchase coca colas, sandwiches and ice cream cones for various members of the Legislature; and

WHEREAS, Mr. Bonner has never made a full disclosure and accounting to the Legislature of the amounts he receives and the amounts he spends for such items and has never made an accounting of the tips and gratuities he receives for such services; and

WHEREAS, this is an earth-shaking matter of great import and of vital concern to the members of the Legislature; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the Honorable Robert Bonner, Esquire is hereby called upon to make a full disclosure of all moneys he receives and dispenses for the purchase of coffee, coca colas, sandwiches and ice cream cones and all tips and gratuities he receives therefor.

The resolution, H. R. 157, was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion offered by Mr. Robertson that the House adjourn until 2:00 o'clock p.m., Tuesday, July 24, 1973, was lost.

Yeas 41; Nays 46.

Yeas:

Messrs.:	Crawford	Hearn	Robertson
Adams	Cross	Hughes	St. John
Bank	Dill	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Bassett	Drake	McDonald	Stewart
Boles	Easters	Mathews	Stokes
Boutwell	Fite	Perloff	Therrell
Burgess	Goodwin	Pruitt	Weeks
Carter	Grey (D)	Reed (T)	Williams
Casey	Hardin	Reynolds	Wood
Collins	Headley		

Nays:

Messrs.:	Ellis	King	Roberts
Adwell	Erdreich	Lutz	Smith (P)
Barron	Falkenburg	McCluskey	Snell
Carnes	Flippo	McMillan	Stubbs
Cauthen	Gafford	McNair	Timmons
Chesnut	Grainger	May	Turner
Connell	Gray (F)	Meeks	Waggoner
Coshatt	Hale	Mims	Waldrop
Cottingham	Hill	Nettles	Warren
Crowe	Hobbie	Owens	Wise
Culver	Jackson	Porter	Wynot
Edwards	Jones (F)	Reid (R)	

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MOTION TO ADJOURN LOST

The motion offered by Mr. Robertson that the House adjourn until 1:30 o'clock p.m., Tuesday, July 24, 1973, was lost.

Yeas 32; Nays 59.

Yeas:

Messrs.:	Dill	Lang	Robertson
Barkett	Downing	McDonald	Slate
Bassett	Easters	Mathews	Smith (K)
Burgess	Fite	Naramore	Stokes
Casey	Goodwin	Perloff	Therrell
Collins	Hardin	Pruitt	Weeks
Connell	Headley	Reed (T)	Williams
Crawford	Kinsey	Reynolds	Wood
Crowe			

—32

Nays:

Messrs.:	Drake	Hughes	Reid (R)
Adams	Edwards	Jackson	Roberts
Adwell	Ellis	Jones (F)	St. John
Barron	Erdreich	King	Smith (P)
Boles	Falkenburg	Lutz	Snell
Boutwell	Flippo	McBride	Stewart
Bowers	Gafford	McMillan	Stubbs
Carnes	Grainger	McNair	Taylor
Carter	Gray (F)	May	Timmons
Cauthen	Grey (D)	Meeks	Turner
Chesnut	Hale	Mims	Waggoner
Coshatt	Harris	Nettles	Waldrop
Cottingham	Hearn	O'Daniel	Warren
Cross	Hill	Owens	Wise
Culver	Hobbie	Porter	Wynot

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H. 886 RESUMED

MOTION TO TEMPORARILY POSTPONE

Mr. Lutz offered the motion that the bill, H. 886 as amended, be temporarily postponed.

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SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Lang that the bill, H. 886 as amended, be indefinitely postponed was lost.

Yeas 27; Nays 50.

Yeas:

Messrs.:	Collins	Meeks	Smith (K)
Barkett	Connell	Naramore	Stewart
Bassett	Cottingham	Nettles	Stokes
Burgess	Crawford	Owens	Therrell
Carter	Crowe	Perloff	Warren
Casey	Lang	Robertson	Wise
Cauthen	Mathews	Slate	Wood

—27

Nays:

Messrs.:	Edwards	Hearn	Reynolds
Adams	Ellis	Hill	Roberts
Bank	Erdreich	Hobbie	St. John
Barron	Falkenburg	Hughes	Smith (P)
Boles	Flippo	Jackson	Snell
Boutwell	Gafford	Jones (F)	Timmons
Carnes	Goodwin	King	Turner
Chesnut	Grainger	Lutz	Waggoner
Coshatt	Gray (F)	McDonald	Waldrop
Culver	Hale	McMillan	Weeks
Dill	Hardin	McNair	Williams
Downing	Harris	Porter	Wynot
Drake	Headley	Reid (R)	

—50

H. 886 TEMPORARILY POSTPONED

The question was then on the motion offered by Mr. Lutz that the bill, H. 886 as amended, be temporarily postponed, and the motion was adopted.

Yeas 71; Nays 9.

Yeas:

Messrs.:	Culver	Hobbie	Reynolds
Adams	Downing	Hughes	Roberts
Bank	Drake	Jones (F)	Robertson
Barron	Easters	King	St. John
Bassett	Ellis	Kinsey	Smith (P)
Boles	Erdreich	Lutz	Snell
Boutwell	Falkenburg	McDonald	Stewart
Carnes	Fite	McMillan	Stokes
Carter	Flippo	McNair	Stubbs
Cauthen	Goodwin	May	Therrell
Chesnut	Grainger	Naramore	Turner
Collins	Gray (F)	Nettles	Waggoner
Connell	Grey (D)	Owens	Waldrop
Coshatt	Hale	Perloff	Warren
Cottingham	Hardin	Porter	Weeks
Crawford	Harris	Pruitt	Williams
Cross	Hearn	Reed (T)	Wood
Crowe	Hill	Reid (R)	Wynot

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Nays:

Messrs.:	Gafford	Lang	Smith (K)
Casey	Headley	Slate	Timmons
Dill	Jackson		

—9

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Adams moved to reconsider the vote by which the motion to suspend the rules in order to bring up out of order the bill, H. 736, was lost, and the motion was adopted.

Yeas 73; Nays 5.

Yeas:

Messrs.:	Drake	Jackson	Roberts
Adams	Easters	King	Robertson
Bank	Edwards	Kinsey	St. John
Barron	Ellis	Lutz	Snell
Bassett	Erdreich	McBride	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Flippo	McNair	Stubbs
Burgess	Gafford	Mathews	Taylor
Carnes	Goodwin	May	Therrell
Carter	Grainger	Naramore	Turner
Chesnut	Gray (F)	Nettles	Waggoner
Collins	Grey (D)	Owens	Waldrop
Connell	Hale	Perloff	Warren
Cottingham	Hardin	Porter	Weeks
Crawford	Harris	Pruitt	Williams
Cross	Hearn	Reed (T)	Wise
Crowe	Hill	Reid (R)	Wood
Culver	Hobbie	Reynolds	Wynot
Downing	Hughes		

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Nays:

Messrs.:	Fite	McCluskey	Timmons
Dill	Lang		

—5

On motion of Mr. Grainger, the rules were suspended in order to bring up out of order the bill, H. 736.

Yeas 73; Nays 4.

Yeas:

Messrs.:	Crawford	Gray (F)	McBride
Adams	Cross	Grey (D)	McMillan
Bank	Crowe	Hale	Mathews
Barron	Culver	Harris	May
Bassett	Downing	Headley	Meeks
Boles	Drake	Hearn	Naramore
Boutwell	Easters	Hill	Nettles
Burgess	Edwards	Hobbie	Owens
Carnes	Ellis	Hughes	Perloff
Carter	Erdreich	Jackson	Porter
Cauthen	Falkenburg	King	Pruitt
Chesnut	Flippo	Kinsey	Reed (T)
Collins	Goodwin	Lang	Reid (R)
Cottingham	Grainger	Lutz	Reynolds

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Roberts	Stewart	Waggoner	Williams
Robertson	Stokes	Waldrop	Wise
St. John	Stubbs	Warren	Wood
Smith (K)	Therrell	Weeks	Wynot
Snell	Turner		

—73

Nays:

Messrs.:	Fite	McCluskey	Timmons
Dill			

—4

And the bill:

H. 736. To create two additional judgeships for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judges.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Messrs.:	Dill	Jackson	Reynolds
Adams	Downing	Jones (F)	Roberts
Bank	Drake	King	Robertson
Barkett	Easters	Kinsey	St. John
Barron	Ellis	Lang	Smith (K)
Bassett	Erdreich	Lutz	Smith (P)
Boles	Falkenburg	McBride	Snell
Boutwell	Fite	McCluskey	Stewart
Burgess	Flippo	McDonald	Stokes
Carnes	Gafford	McMillan	Stubbs
Carter	Goodwin	Mathews	Therrell
Casey	Grainger	May	Timmons
Cauthen	Gray (F)	Meeks	Turner
Chesnut	Gray (D)	Naramore	Waggoner
Collins	Hale	Nettles	Waldrop
Connell	Harris	Owens	Warren
Cottingham	Headley	Perloff	Weeks
Crawford	Hearn	Porter	Williams
Cross	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood
Culver	Hughes	Reid (R)	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 498. To supplement the Solicitor's (District Attorney's) Fund in counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to provide for the appropriation of moneys to said fund from Solicitor's fees taxed and collected in all criminal cases in both circuit and county courts within said counties; and to authorize expenditures of said fund by the Circuit Solicitor (District Attorney) for law enforcement and the discharge of the duties of this office.

Also:

H. 572. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the court reporter an expense allowance of \$150.00 per month.

Also:

H. 648. To prohibit the consumption of alcoholic beverages on the premises of retail licensee in Conecuh County unless the premises have been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board of the State of Alabama; and prescribing penalties therefor.

Also:

H. 117. To authorize establishment of branch banks in Dallas County.

Also:

H. 180. Relating to Cullman County; levying in such county additional special county privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session of 1959 (Acts 1959, p. 298), as amended or supplemented, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of this Act by the State Department of Revenue; prescribing penalties and fixing punishment for violations of this Act; and forbidding municipalities in Cullman County to levy municipal sales and use taxes; and repealing ordinances heretofore adopted levying such municipal sales and use taxes.

Also:

H. 525. Relating to counties having a population of not less than 54,500 nor more than 56,000 inhabitants according to the most recent federal decennial census; to authorize the county and any city governing bodies within such counties to establish a historic development commission and to adopt ordinances and regulations to protect historic architectural character and preserve the general historic character of the county and cities therein by allowing the designation of historic districts, areas and sites and adopting other provisions necessary to carry out the purposes of this Act.

Also:

H. 543. To apply in counties having populations of not less than 26,725 nor more than 27,250, fixing the compensation of the clerk of the register and providing for the payment thereof.

Also:

H. 546. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide further for the clerical assistance of the county tax assessor in such counties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 9. To repeal Act No. 2154, H. 2721, Regular Session 1971, approved October 1, 1971, entitled "An Act relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five."

Also:

H. 195. Relating to the governing body of Baldwin County; amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' district.

Also:

H. 207. To amend further Section 7 of Act No. 34, H. B. 225, Extra Session 1932, (Local Acts 1932, p. 13), as amended, which act relates to the County Superintendent of Education of Clarke County, so as to increase the expense allowances of said Superintendent of Education and to provide that said expense allowance may be incurred while said Superintendent is out of the county or state.

Also:

H. 242. Relating to Etowah County; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 383. To apply to the Fourth Judicial Circuit of Alabama; relating to additional compensation and method of payment of the official Court Reporters of said Circuit.

Also:

H. 385. Relating to Conecuh County, to authorize the County Governing body to pay the County Coroner an expense allowance of \$50 per month which shall be in addition to all other salary, compensation and expense allowance provided by law.

Also:

H. 386. Relating to Conecuh County; imposing a tax on malt or brewed alcoholic beverages and providing for the disposition of the proceeds therefrom prescribing penalties for the violation of the provisions of this Act; making the provisions of this Act retroactive to July 13, 1972.

Also:

H. 451. To authorize the governing bodies of counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to make expenditures from the general funds of such counties to purchase judicial robes.

Also:

H. 453. To set a monthly expense allowance for members of city boards of education of municipalities located in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Also:

H. 454. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE¼, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 312. To amend Code of Alabama 1940, Title 7, Section 1035, relating to civil remedies and procedure, so as to provide for garnishment of certain salaries after final judgment in cases of child support.

Was taken up.

H. 312 TEMPORARILY POSTPONED

On motion of Mr. Perloff, the bill, H. 312, was temporarily postponed.

And the bill:

H. 757. (With Amendment): To amend Code of Alabama 1940, Title 15, Section 104 which provides for the issuance of search warrants by a local magistrate, based on probable cause, delivered to the county sheriff, so as to provide for the issuance of such warrant to the sheriff or any lawful officer.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 757 by deleting the words "lawful officer" wherever they appear and in lieu thereof inserting the words "state law enforcement officer".

And the amendment was adopted.

Yeas 60; Nays 2.

Yeas:

Mr. Speaker
Adwell
Bank

Barkett
Barron
Bassett

Boutwell
Callahan
Carnes

Casey
Chesnut
Connell

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Crawford	Grey (D)	McMillan	St. John
Culver	Hale	McNair	Smith (K)
Dill	Hardin	May	Stokes
Downing	Harris	Meeks	Stubbs
Drake	Hearn	Naramore	Therrell
Easters	Hill	Nettles	Timmons
Edwards	Hobbie	O'Daniel	Waggoner
Ellis	Hughes	Owens	Waldrop
Erdreich	King	Porter	Warren
Gafford	Lutz	Pruitt	Weeks
Goodwin	McCluskey	Reid (R)	Williams
Grainger	McDonald	Robertson	Wynot

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Nays: Messrs. Fite and Kinsey.

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And the bill:

H. 757. To amend Code of Alabama 1940, Title 15, Section 104 which provides for the issuance of search warrants by a local magistrate, based on probable cause, delivered to the county sheriff, so as to provide for the issuance of such warrant to the sheriff or any state law enforcement officer.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 16.

Yeas:

Messrs.:	Drake	Hughes	Porter
Bank	Edwards	King	Pruitt
Barkett	Ellis	Lutz	Reid (R)
Barron	Goodwin	McCorquodale	Robertson
Bassett	Grainger	McDonald	St. John
Boutwell	Grey (D)	McMillan	Smith (P)
Callahan	Hale	May	Stokes
Casey	Hardin	Meeks	Stubbs
Cross	Hearn	Naramore	Therrell
Culver	Hill	Nettles	Weeks
Dill	Hobbie	O'Daniel	Wynot
Downing			

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Nays:

Messrs.:	Cottingham	McCluskey	Timmons
Benton	Crawford	McNair	Turner
Carnes	Fite	Reynolds	Waldrop
Carter	Kinsey	Smith (K)	Williams
Cauthen			

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MOTION TO ADJOURN

Mr. Culver moved that the House adjourn until 2:00 o'clock p.m., Tuesday, July 24, 1973.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Erdreich that the House adjourn until 12:30 o'clock p.m., Tuesday, July 24, 1973, was lost.

Yeas 18; Nays 67.

Yeas:

Messrs.:	Downing	Hill	Robertson
Boles	Fite	Kinsey	Smith (P)
Casey	Flippo	McCluskey	Stewart
Cauthen	Gafford	Naramore	Weeks
Crowe	Hearn	Porter	

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Nays:

Mr. Speaker	Culver	Jones (F)	Reynolds
Adams	Dill	King	Roberts
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCorquodale	Stokes
Bassett	Ellis	McDonald	Stubbs
Benton	Falkenburg	McMillan	Taylor
Boutwell	Goodwin	McNair	Therrell
Burgess	Grainger	Mathews	Timmons
Callahan	Grey (D)	May	Turner
Carnes	Hale	Meeks	Waggoner
Carter	Hardin	Mims	Waldrop
Chesnut	Harris	Nettles	Warren
Connell	Headley	O'Daniel	Williams
Cottingham	Hobbie	Owens	Wise
Crawford	Hughes	Pruitt	Wynot
Cross	Jackson	Reid (R)	

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SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Erdreich that the House adjourn until 1:00 o'clock p.m., Tuesday, July 24, 1973, was lost.

Yeas 15; Nays 62.

Yeas:

Messrs.:	Downing	Goodwin	Smith (P)
Bank	Erdreich	Naramore	Stewart
Casey	Fite	Nettles	Stokes
Cauthen	Gafford	Reynolds	Weeks

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Nays:

Mr. Speaker	Culver	Jones (F)	Roberts
Adams	Dill	Kinsey	St. John
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McBride	Snell
Bassett	Edwards	McDonald	Stubbs
Benton	Grainger	McMillan	Taylor
Boutwell	Grey (D)	McNair	Therrell
Burgess	Hale	Mathews	Timmons
Callahan	Hardin	May	Turner
Carnes	Harris	Meeks	Waggoner
Chesnut	Headley	Mims	Waldrop
Collins	Hearn	O'Daniel	Warren
Connell	Hill	Owens	Williams
Cottingham	Hobbie	Pruitt	Wise
Crawford	Hughes	Reid (R)	Wynot
Cross	Jackson		

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ADJOURNMENT

The question was then on the motion offered by Mr. Culver that the House adjourn until 2:00 o'clock p.m., Tuesday, July 24, 1973, and the motion was adopted.

Yeas 46; Nays 41.

Yeas:

Mr. Speaker	Connell	Grey (D)	Pruitt
Adams	Crawford	Hardin	Reed (T)
Bank	Cross	Headley	Reynolds
Barkett	Culver	Hearn	Robertson
Bassett	Dill	Hughes	St. John
Benton	Downing	Kinsey	Smith (K)
Boles	Drake	Lang	Stewart
Burgess	Easters	McDonald	Stokes
Callahan	Edwards	Mathews	Therrell
Carter	Fite	May	Weeks
Casey	Gafford	Naramore	Williams
Collins	Goodwin		

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Nays:

Messrs.:	Flipppo	McMillan	Snell
Adwell	Grainger	McNair	Stubbs
Barron	Hale	Meeks	Taylor
Boutwell	Hill	Mims	Timmons
Carnes	Hobbie	Nettles	Turner
Cauthen	Jackson	Owens	Waggoner
Chesnut	Jones (F)	Porter	Waldrop
Cottingham	King	Reid (R)	Warren
Ellis	Lutz	Roberts	Wise
Erdreich	McBride	Smith (P)	Wynot
Falkenburg	McCluskey		

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TWENTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 24, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend J. Robert White, Assistant Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Erdreich	McCluskey	Robertson
Burgess	Falkenburg	McCorquodale	St. John
Callahan	Fite	McDonald	Slate
Carnes	Flippo	McMillan	Smith (K)
Carter	Gafford	McNair	Smith (P)
Casey	Goodwin	Manley	Snell
Cauthen	Grainger	Mathews	Stewart
Chesnut	Gray (F)	May	Stokes
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Harris	Mims	Therrell
Cottingham	Headley	Naramore	Timmons
Crawford	Hearn	Nettles	Turner
Cross	Hill	O'Daniel	Turnham
Crowe	Hobbie	Owens	Waggoner
Culver	Hughes	Parker	Waldrop
Dill	Jackson	Perloff	Wallace
Doss	Jones (F)	Porter	Warren
Downing	King	Pruitt	Weeks
Drake	Kinsey	Reed (T)	Williams
Easters	Lang	Reid (R)	Wise
Edwards	Lutz	Reynolds	Wood
Ellis	McBride	Roberts	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twentieth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twentieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twentieth legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 653. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945 p. 478), an act providing for appointment and designation of Supernumerary Circuit Judges.

H. 1465. To amend Sections 1, 2 and 4, Act No. 1593, S. 28, Regular Session 1971, relating to the duties, functions and personnel of the Department of Court Management and to provide or assist in providing continuing legal and judicial education to judges and court-affiliated personnel; and to

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add thereto additional sections pertaining to coordination of the administration of justice with other units of the judicial system or other units of government.

H. 1095. To provide additional judges for the Eighth Judicial Circuit of Alabama.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1307. (With Amendments): To amend Sections 1, 2, 3, 4, 8 and 9, Title 22, Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1502. To amend Sections 195 and 199 of Title 2, Code of Alabama of 1940, which relate to the testing of milk or cream for butterfat content or quantity and the testing methods, equipment, devices and containers used for such testing.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1536. (With Amendment): To regulate the sale of livestock at public livestock auction markets by providing for the collection and deposit of monies received from sales of livestock to assure prompt payment for livestock sold; to authorize the adoption of rules and regulations to effectuate the purpose of this Act; to provide a penalty for violations of this Act; and to repeal conflicting laws.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1540. To further amend Section 1 of Act 384, Regular Session 1965, (Acts 1965, p. 517), to levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

H. 1541. To further amend Section 1 of Act 383, H. 57, Regular Session 1965, (Acts 1965, p. 516), relating to the tax levied on farm machinery and equipment sold for agricultural purposes.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1550. To amend and re-enact Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115), which provides that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, so as to include officers of the State Department of Conservation and Natural Resources within the provisions of said Act.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1076. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

H. 1074. To amend Sections 13, 15, 21 and 22 of Title 29, which sections relate to hotel, restaurant and club liquor, beer and wine licenses for sale of such beverages, so as to allow such liquor licensees to sell said beverages for consumption either on or off the premises in which the sale is made.

H. 1072. To amend Section 21, Title 29, Code of Alabama 1940, which relates to sales of liquor by hotel, restaurant or club licensees, so as to remove the provision that hotels, clubs, and restaurants cannot maintain a counter or bar.

H. 1583. To amend Section 12 (B) of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8), as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which related to establishing drilling units and the minimum and maximum size of drilling units.

H. 1585. To amend Section 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, an Act to conserve natural resources, prevent waste and provide regulation, control and supervision of the drilling for and the production and use of oil and gas in the State of Alabama so as to add a provision for integrating interests as well as tracts.

H. 1070. To provide that a licensee of the Alabama Alcoholic Beverage Control Board shall not be required to give a sales check or receipt showing the price of the alcoholic beverage(s) consumed by any of its customers, guests or members.

H. 1584. To amend Section 25 of Act No. 1, 1945, General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by increasing the permit fee for oil and gas wells from \$25.00 per well to \$100.00 per well, and to provide for the deposition of permit fees, penalties and publication fees in the Oil and Gas Fund; said fund to be used by the Oil and Gas Supervisor to defray expenses incurred by the Supervisor in the performance of his duties under this article.

H. 1004. To authorize County governing bodies to enter into contracts with Federal Government.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the

following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1071. (With Amendment): To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1590. To amend Section 2 of Act No. 474, H. 202, of the 1961 Regular Session of the Legislature of Alabama entitled "An Act providing for the relocation of utility facilities when necessitated by federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon federal participation and federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws."

H. 943. To reenact, expand, and change the Unfair Cigarette Sales Act of 1951; to define and prohibit the unfair sales of cigarettes; to provide remedies and set forth penalties for violation; to repeal Act No. 805, S. 385, Regular Session 1951 (Acts 1951, p. 1402), and all other laws in conflict thereof.

Mr. Bowers, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 952. (With Substitute): To amend further Code of Alabama 1940, Title 55, Section 305 which relates to the establishment of employment registers under the Merit System law for the various classes of positions in the classified service of the State of Alabama, in order to clarify the extension of veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

H. 953. (With Substitute): To amend the "Employees Retirement System of Alabama" as last amended, in order to provide membership service credit to employees, based upon military service prior to becoming members of the "Employees Retirement System of Alabama".

Mr. Bowers, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1331. To amend further Code of Alabama 1940, Title 35, Section 12, which relates to military leaves for government employees in order to extend payment for military furlough benefits to all employees and to provide for the mandatory reemployment of government employees who are called to active service either by the Alabama National Guard or the armed forces of the United States.

Mr. Bowers, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1005. (With Amendments): To create a uniform military code by rewriting Sections 1-185 and Sections 203-349 of Title 35, Code of Alabama and amendments thereto, to provide for the Alabama National Guard and naval militia and to provide for the Alabama State Guard; to provide for the training, regulation, maintenance and appropriations therefor; to establish the state military department and the office of the Adjutant General and to prescribe the duties, authority, and power of such department and office; to establish a uniform code of military justice and to provide other authority incidental to the proper establishment and maintenance of the Alabama National Guard, naval militia, and the Alabama State Guard.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

H. 1006. To provide further for the selection of textbooks and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

H. 1038. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial Census: to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

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H. 1326. (With Amendment): To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

H. 1485. Relating to the twenty-seventh judicial circuit; to provide for an expense allowance of \$3,600.00 per year to the district attorney of said judicial circuit to be supplemented by any county located in said district, in addition to any regular compensation.

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

H. 1496. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

H. 1497. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitioners.

H. 1500. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of the District Attorney.

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial Census; relieving the Clerk and Register of the Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 14. (With Amendment): To require the posting of fee for costs in all civil suits filed in any court in Mobile County.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1367. (With Amendment): Relating to Mobile County, to increase the compensation of election officials in such county.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 280. (With Substitute): To repeal Act No. 2441, H. B. 821, 1971 Regular Session (1971 Acts, p. 3903) entitled "To provide that the Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the Chief of Police of such Municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any Civil Service or Personnel Board rules or regulations concerning such appointment and providing that such Governing Body may fix the compensation of said Chief of Police."

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

H. 1086. To amend Section 2 of Act No. 370, S. 439, Regular Session 1953 (Acts 1953, p. 439), which section relates to the authority of the gov-

erning body of any city or town in any county of the State of Alabama having a population of not less than 225,000 nor more than 500,000 inhabitants, according to the most recent federal decennial census, to confer upon the chief of police of any such city or town to suspend any employees of the police department of such city or town, so as to provide that such suspended employees shall have right of appeal from such suspension.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1440. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

The above bill was read a second time at length as required by the Constitution.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1462. (With Amendment): To provide that all Alabama Alcoholic Beverage Control Board licensees in counties having populations of not less than 150,000 nor more than 180,000 may stay open until 2:00 A.M. each night of the week.

H. 1463. (With Amendment): Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

H. 1527. (With Amendment): Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

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Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1529. (With Amendment): To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, term, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

BILLS RE-REFERRED

On motion of Mr. Kinsey to re-refer, the Speaker re-referred the bill, H. 1588, from the Standing Committee on Ways and Means to the Standing Committee on State Administration.

On motion of Mr. Kinsey to re-refer, the Speaker re-referred the bill, H. 1589, from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 9. To repeal Act No. 2154, H. 2721, Regular Session 1971, approved October 1, 1971, entitled "An Act relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five."

Also:

H. 195. Relating to the governing body of Baldwin County; amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivison of the commissioners' districts.

Also:

H. 207. To amend further Section 7 of Act No. 34, H. B. 225, Extra Session 1932, (Local Acts 1932, p. 13), as amended, which act relates to the County Superintendent of Education of Clarke County, so as to increase the expense allowances of said Superintendent of Education and to provide that said expense allowance may be incurred while said Superintendent is out of the county or state.

Also:

H. 242 Relating to Etowah County; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 383. To apply to the Fourth Judicial Circuit of Alabama; relating to additional compensation and method of payment of the official Court Reporters of said Circuit.

Also:

H. 385. Relating to Conecuh County, to authorize the County Governing body to pay the County Coroner an expense allowance of \$50 per month which shall be in addition to all other salary, compensation and expense allowance provided by law.

Also:

H. 386. Relating to Conecuh County; imposing a tax on malt or brewed alcoholic beverages and providing for the disposition of the proceeds therefrom prescribing penalties for the violation of the provisions of this Act; making the provisions of this Act retroactive to July 13, 1972.

Also:

H. 451. To authorize the governing bodies of counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to make expenditures from the general funds of such counties to purchase judicial robes.

Also:

H. 453. To set a monthly expense allowance for members of city boards of education of municipalities located in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Also:

H. 454. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property

consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE¼, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 498. To supplement the Solicitor's (District Attorney's) Fund in counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to provide for the appropriation of moneys to said fund from Solicitor's fees taxed and collected in all criminal cases in both circuit and county courts within said counties; and to authorize expenditures of said fund by the Circuit Solicitor (District Attorney) for law enforcement and the discharge of the duties of this office.

Also:

H. 572. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the court reporter an expense allowance of \$150.00 per month.

Also:

H. 648. To prohibit the consumption of alcoholic beverages on the premises of retail licensee in Conecuh County unless the premises have been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board of the State of Alabama; and prescribing penalties therefor.

Also:

H. 117. To authorize establishment of branch banks in Dallas County.

Also:

H. 180. Relating to Cullman County; levying in such county additional special county privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session of

1959 (Acts 1959, p. 298), as amended or supplemented, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of this Act by the State Department of Revenue; prescribing penalties and fixing punishment for violations of this Act; and forbidding municipalities in Cullman County to levy municipal sales and use taxes; and repealing ordinances heretofore adopted levying such municipal sales and use taxes.

Also:

H. 525. Relating to counties having a population of not less than 54,500 nor more than 56,000 inhabitants according to the most recent federal decennial census; to authorize the county and any city governing bodies within such counties to establish a historic development commission and to adopt ordinances and regulations to protect historic architectural character and preserve the general historic character of the county and cities therein by allowing the designation of historic districts, areas and sites and adopting other provisions necessary to carry out the purposes of this Act.

Also:

H. 543. To apply in counties having populations of not less than 26,725 nor more than 27,250, fixing the compensation of the clerk of the register and providing for the payment thereof.

Also:

H. 546. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide further for the clerical assistance of the county tax assessor in such counties.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolution, your signature thereto is requested:

S. 182. To provide for the operation of a nonprofit ambulance service by the counties of Tallapoosa and Coosa and incorporated municipalities located in said counties.

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Also:

S.J.R. 56. Congratulating and commending Miss Martha Jane Rice for being named Miss Alabama.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution introduced on the twentieth legislative day was read by title, pursuant to Joint Rule 12:

H. J. R. 156. MOURNING THE DEATH OF FIVE RAIL CREWMEN KILLED ABOARD THE BIRMINGHAM SOUTHERN RAILROAD TRAIN DERAILED NEAR MULGA.

On motion of Mr. McCorquodale, the resolution was adopted.

LEAVE OF ABSENCE

On motion of Mr. Bassett, leave of absence was granted for Mr. Hardin, due to death in the family.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Kinsey and Benton:

H. 1594. To further amend Section 8 of Act No. 344, H. 301, 1955 Regular Session of the Alabama Legislature (Acts of 1955, p. 780), as amended, which Act relates to the Fort Morgan Historical Commission, so as to provide further for the expenditure of certain funds received by said commission.

Conservation.

By Messrs. Kinsey and Benton:

H. 1595. Prohibiting the operation of motor vehicles upon coastal sand dunes located 50 feet or further from the water line without the written permission of the landowner; providing for posting of notices of this act; establishing punishment for violation of this act.

State Administration.

By Messrs. Kinsey and Benton:

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal

sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

Local Legislation No. 1.

By Messrs. Cottingham and Turner:

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Local Legislation No. 1.

By Mr. O'Daniel:

H. 1598. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census, to provide for the employment of not less than 9 deputies by the sheriff, and to provide salaries for such deputies of such counties.

Local Legislation No. 1.

By Mr. Wood:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Local Legislation No. 3.

By Messrs. Adwell and Dill:

H. 1600. To amend Section 7, Title 29, Code of Alabama 1940, providing when state liquor stores may remain open.

Commerce and Transportation.

By Messrs. Adwell and Dill:

H. 1601. To amend Section 36, Title 29, Code of Alabama 1940, relating to unlawful acts regarding alcoholic beverages.

Commerce and Transportation.

By Mr. Connell (With Notice and Proof):

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

Local Legislation No. 1.

Notice and Proof H. 1602:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

Be It Enacted by the Legislature of Alabama:

Section 1. In Houston County the minimum annual salary for all full time county employees on a salary basis is hereby established as follows, Viz: Effective October 1, 1973 \$5,100.00

The provisions of this Section shall not apply to any county employee paid on an hourly basis.

Section 2. After October 1, 1973 all annual raises for county employees shall be effective only on October 1 each year.

Section 3. All laws or parts of laws which conflict with the provisions of this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, June 26, July 3, 10, 17, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 19th day of July, 1973.

B. WALLACE MILLER,
Notary Public.

By Mr. Mathews:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Mr. Connell (With Notice and Proof):

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Local Legislation No. 1.

Notice and Proof H. 1604:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 2017, Alabama Law (Regular Session, 1971) is hereby amended by amending Section 4 thereof to read as follows:

Section 4. This Act is cumulative and shall not be construed as limiting or restricting any power or authority of any municipality to provide for the control and disposition of abandoned automobiles within its corporate limits by properly enacted ordinances of no less lenience than this Act.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Corsby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, June 26, July 3, 10, 17, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in

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which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 18th day of July, 1973.

B. WALLACE MILLER,
Notary Public.

By Mr. Connell (With Notice and Proof):

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

Local Legislation No. 1.

Notice and Proof H. 1605:

A BILL
TO BE ENTITLED
AN ACT

To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of Five Thousand Thirty Nine Dollars and Forty Cents all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county. (\$5,039.40), or so much thereof as may be necessary, is hereby appropriated from the gasoline fund of Houston County for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise.

Section 2. The said R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, shall each be paid from the appropriation herein made the amount paid by him to the county in satisfaction of charges made in the report of examiners of the Board of Revenue and Control and Houston County Commission of Houston County for the period October 1, 1970-September 30, 1972, as filed May 24, 1973, with respect to certain work and materials used on church yards of said county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who is being by me first duly sworn, deposes and says : That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, June 26, July 3, 10, 17, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 19th day of July , 1973.

B. WALLACE MILLER,
Notary Public.

By Mr. Connell (With Notice and Proof):

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1606:

AN ACT

To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Circuit Court and the Register of the Circuit Court, shall be entitled to receive an expense allowance of Seventy Five Dollars (\$75) per month which shall be in addition to any and all other compensation and expenses provided for by law. Said expense allowances shall be payable in equal monthly installments out of the general fund of Houston County and shall expire and no longer be paid upon the expiration of the term of the incumbent in each of said offices.

Section 2. All laws or parts of laws which conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective October 1, 1973.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a

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week for 4 successive weeks, June 26, July 3, 10, 17, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY

Sworn to and subscribed before me on this 19th day of July, 1973.

B. WALLACE MILLER,
Notary Public.

By Messrs. Cauthen and Slate (With Notice and Proof):

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

Local Legislation No. 1.

Notice and Proof H. 1607:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Boundary lines and corporate limits of the Town of Falkville in Morgan County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said town, in addition to the lands now included, all of the following territory, to-wit:

Beginning at the northwest corner of Section 1, Township 8 South, Range 4 West, and running thence in an easterly direction along the northerly line of said Section 1 to the northeast corner of said Section 1; thence in a southerly direction along the easterly line of said Section 1 to the northwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 6, Township 8 South, Range 3 West; thence easterly along the northerly line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6 to the northeast corner of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 6; thence in a southerly direction along the easterly line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 6, and the easterly line of the said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 6, and the easterly line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 8 South, Range 3 West, and the easterly line of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, Township 8 South, Range 3 West, to the southeast corner of said N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7; thence in a westerly direction along the southerly line of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$

of said Section 7, and the southerly line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 12, Township 8 South, Range 4 West, to the southwest corner of said N $\frac{1}{2}$ of the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of said Section 12, and the southerly line of E $\frac{1}{2}$ of N $\frac{1}{2}$ of S $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 11, Township 8 South, Range 3 West, to the southwest corner of said E $\frac{1}{2}$ of N $\frac{1}{2}$ of S $\frac{1}{2}$ of N $\frac{1}{2}$ of said Section 11; thence in a northerly direction along westerly line of said E $\frac{1}{2}$ of N $\frac{1}{2}$ of S $\frac{1}{2}$ of N $\frac{1}{2}$ and the westerly line of N $\frac{1}{2}$ of N $\frac{1}{2}$ of said Section 11, and the westerly line of E $\frac{1}{2}$ of Section 2, Township 8 South, Range 3 West, to the northwest corner of said E $\frac{1}{2}$ of Section 2, thence easterly along the northerly line of Section 2 to northeast corner of Section 2, the true point of beginning.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 12, 1973.

ELISE G. JOHNSTON,
Notary Public.

My Commission Expires May 21, 1974.

By Messrs. Stewart, Merrill and Burgess (With Notice and Proof):

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

Local Legislation No. 1.

Notice and Proof H. 1608.

STATE OF ALABAMA CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

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A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the city, the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

A parcel of property in the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of Section 3, Township 15 South, Range 8 East, Calhoun County, Alabama, being more particularly described as follows: Beginning at the southeast corner of the southeast quarter of the northwest quarter of said Section 3 which is marked by a brass cap, thence north 1°50' west 431.83 feet to the intersection of the east line of said quarter and the western right of way of the Anniston and Jacksonville Highway (No. 21), which is the point of beginning of the property conveyed herein; thence north 1°50' west 386.49 feet to the intersection of the eastern right of way of the old Jacksonville and Anniston Pike Road; thence south 59°56' west along the eastern right of way of said road 96.4 feet to the beginning of a 3" and 3' curve to the left, thence along said curve to the left a distance of 290.40 feet and a cord bearing of south 54°37' west to a concrete market; thence south 50° and 12' west 149.55 feet to the center of a road; thence south 76°40' east along the center of said road 250 feet to a point, thence south 48°33' east 153.30 feet to the east line of said Anniston-Jacksonville Highway; thence north 119.64 feet along the east right of way line of said highway to the point of beginning, less and except any portion of said property lying in said road right of way along the southwesterly border of said property. It being the intention to convey that portion of property lying north of a BIT. Road shown on a plat recorded at Book 1172, Pages 138 and 139, in the Probate Office of Calhoun County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CALHOUN

Personally appeared before me Phillip Sanguinetti, who being duly sworn, makes oath that he is President of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: June 21, 28, July 5, 12, 1973.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me this 18th day of July, 1973.

LOLA J. BRIGHT,
Notary Public.

By Mr. Grey (D) (With Notice and Proof):

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1609:

PUBLIC NOTICE

STATE OF ALABAMA LAMAR COUNTY

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature of the State of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Millport, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The South East one-fourth, Section 21, Township 17, Range 15—160 acres; The East one-half of South West one-fourth, Section 21, Township 17, Range 15—80 acres; The North East one-fourth, Section 28, Township 17, Range 15—160 acres; The East one-half of North West one-fourth, Section 28, Township 17, Range 15—80 acres; The East one-half of South West one-fourth, Section 24, Township 17, Range 15—80 acres; The South East one-fourth, Section 24, Township 17, Range 15—160 acres; The South West one-fourth of North West one-fourth, Section 19, Township 17, Range 14—40 acres; The West one-half of South West one-fourth, Section 19, Township 17, Range 14—80 acres; The West one-half of North West one-fourth, Section 30, Township 17, Range 14—80 acres; The North East one-fourth, Section 25, Township 17, Range 15—160 acres; The East one-half of North West one-fourth, Section 25, Township 17, Range 15—80 acres.

Section 2. All laws or parts of laws, general, special and local in conflict with this Act, be and the same are hereby repealed.

Section 3. This act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rex Rainwater, who, being by me first

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duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

REX RAINWATER.

Sworn to and subscribed before me July 16, 1973.

PATRICIA BRYANT,
Notary Public.

By Messrs. Stewart, Burgess and Merrill (With Notice and Proof):

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the Board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of

the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

Local Legislation No. 1.

Notice and Proof H. 1610:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the probate judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the

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qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply To Calhoun County, Alabama, and to no other County.

Section 2. Definition. The following words and terms as used in this Act shall have the meanings ascribed to them in this Section 2, unless a contrary meaning is apparent from the context; "the Act" shall mean this Act: "the County" shall mean Calhoun County, Alabama; "district for fighting fires" shall mean a district created under the Act for establishing and maintaining a system for fighting or preventing fires.

Section 3. Any area situated entirely within the County may be established as a district for fighting fires in the manner hereinafter provided for; provided, however, no land lying within the boundaries of a municipality at the time a district is formed shall be included in the district.

Section 4. Upon any petition provided for in this Section 4, being filed in the office of the Probate Judge of the County, he shall order an election to be held in the proposed district on the question, or questions, on which the petition requests in election.

The petition shall be signed by at least 100 qualified electors residing within the boundaries of the proposed district.

The petition shall contain a description of the area which it is proposed to be established as a district under the provisions of the Act; and the petition shall request the Probate Judge to call an election on the following question: Shall there be created for the area a district for fighting fires?

The petition shall state the name of the proposed district. The Board of Trustees of a district may change the name of the district by filing in the office of the Probate Judge a copy of a resolution changing the name thereof, which copy shall be certified by the President of the Board of Trustees.

The petition for election on the establishment of a district may be accompanied by a petition for an election on the question of levying a proposed service charge which last named petition shall be signed by at least 100 qualified electors residing within the proposed district. A petition for an election on the establishment of a district shall be deemed to be accompanied by a petition for an election on the question of levying a proposed service charge, if the request for the election on the proposed district and the request for an election the proposed service charge are combined in a single petition.

Section 5. When a petition for the holding of any election hereunder is filed with the Probate Judge not less than thirty days and not more than sixty days prior to some other election to be held in the territory in which an election is sought by the petition, the Probate Judge shall order the election sought by the petition to be held on the same day as such other election is held.

If the petition is not filed at such time as will permit the election sought thereby to be held at the time some other election is held, as provided for in

the next foregoing sentence, the Probate Judge shall order the election sought by the petition to be held on a day not less than thirty days nor more than forty days from the date on which the Probate Judge enters said order.

The provisions of this Section 5, shall apply to all elections provided for by the Act.

Section 6. The provisions of the election laws governing the registration of voters, equipment at polling places, furnishing of supplies, appointment of election officers, voting and canvassing returns at a general election shall apply to any election held hereunder.

Section 7. The Probate Judge shall give notice of any election held under this Act by publishing for three weeks at least once a week, on the same day of each week, in a newspaper of general circulation in the territory where said election is to be held, a notice that on the day fixed for the election the questions to be then voted on will be submitted to the electors of the said territory.

Section 8. Where an election is held on the question of the establishment of a district, the governing body of the County shall pay for the necessary expense of advertising and conducting such election out of the general funds of the County; provided, however, that if the district is established, the district shall reimburse the County for the expenses incurred by the County in respect to said election.

After a district has been established, the district shall pay the expense of any election held in the district or held in any area which it is proposed to be added to the district.

Section 9. No district shall be created unless the creation thereof is approved by the majority of votes cast at the election at which the proposed creation is submitted. Upon the officers canvassing the returns of the election certifying that the creation of the district was approved by the majority of the votes cast at such election, the proposed district shall be created and shall constitute a public corporation.

Section 10. The affairs and business of the district shall be managed by a Board of Trustees consisting of five members appointed by the governing body of the County. No person shall be appointed to said Board unless he is a qualified elector of the district: Appointment shall be for a term of five years provided, however, that to stagger the terms one of the five members first appointed shall be appointed for a term of one year, one shall be appointed for a term of two years, one shall be appointed for a term of three years, one shall be appointed for a term of four years and one shall be appointed for a term of five years.

The Board of Trustees shall elect annually from its own number a President and a Secretary. The members of the Board of Trustees shall not be entitled to any compensation for their services; but they shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties.

Section 11. The district shall constitute a public corporation, which shall have the power to do any and all acts or things necessary and convenient for carrying out the purposes for which it is created including, but not limited to. To sue and be sued. To have a seal and alter the same at pleasure.

To acquire, hold and dispose of property, real and personal, tangible and intangible, or interests therein and to pay therefor in cash or on credit, and to secure and procure payment of all or any part of the purchase price thereof on such terms and conditions as the board shall determine. To acquire, own, operate, maintain and improve a system or systems. To pledge all or any part of its revenues, or mortgage, or otherwise encumber, all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations. To sell, lease, mortgage or otherwise encumber or dispose of all or any part of its property, as hereinafter provided. To contract debts, borrow money and to issue or assume the payment of obligations. To levy and collect service charges, as herein provided in this Act, subject to the limitations prescribed in said Act. To employ agents, servants, and attorneys. To perform any and all of the foregoing acts and to do any and all of the foregoing things under, through or by means of its own officers, agents, and employees, or by contracts with any person, federal agency or municipality.

Section 12. The expense of establishing and maintaining a district shall be paid for by the proceeds of a service charge which shall be levied and collected in an amount sufficient to pay said expense. Said service charge shall be levied upon and collected from persons and properties served by the system. Such charge shall be a personal obligation of the occupant of the property served by the system; and to secure the collection of the charge there shall be a lien against said property in favor of the district, which lien shall be enforceable by sale thereof in the same manner in which the foreclosure of a municipal assessment for public improvements is authorized.

Section 13. No service charge shall be levied unless the same has been first approved by the majority of the votes cast at an election held hereunder by the qualified electors residing within the district, or within the proposed district.

An election on the question of levying a service charge in a proposed district may be held at the same time that the election is held on the creation of the district, provided that the petition for the election on the question of the service charge accompanies the petition for the election on the establishment for the proposed district, as is provided for in Section 4, above. An election on the question of a service charge may be held upon the Board of Trustees of a district submitting to the Probate Judge a petition for such election as hereinafter provided. The Board of Trustees shall file in the office of the Probate Judge a petition that he call an election in the district on the question of whether the service charge proposed by the Trustees shall be levied.

The petition shall state specifically the charge which it is proposed shall be levied. The petition may request that an election be held on more than one proposed charge. Upon the petition being filed with the Probate Judge, he shall order an election to be held within the time provided for by Section 5, above.

Section 14. (a) A district may be enlarged in accordance with the terms of this Section 14, provided, however, that no area lying within a municipality at the time of the enlargement shall be brought within the district. (b) No area shall be brought within a district by enlargement unless the majority of the votes cast at the election provided for by subsection (c), below, approve the inclusion of the area within the district and also approve every service charge in effect within the district at the time of the election (c) The

Term "proposed area", as used in this subsection (c), means an area which it is proposed be brought within a district by enlargement of the district. When the Board of Trustees of a district determines that the inclusion of a proposed area within the district would be to the advantage of the district and also to the advantage of the majority of the inhabitants of the proposed area, the Board of Trustees may file in the office of the Probate Judge, a petition that there be an election in the proposed area at which there shall be submitted to the qualified electors residing within the proposed area the question of whether the proposed area shall be included within the district and also the question of whether every service charge in effect within the district at the time of the election is approved. Upon such petition being filed, the Probate Judge shall order an election to be held within the proposed area, within the time provided for in Section 5, above, at which election the qualified electors residing within the proposed areas shall vote on the two foregoing questions. Unless the majority of votes cast at the election vote in the affirmative on each of the foregoing questions, the proposed area shall not be included within the district. Upon the officers canvassing the returns of the election certifying that the majority of votes cast was in favor of the inclusion of the proposed area in the district, and that the majority of the votes cast approved every service charge in effect within the district at the time of the election the proposed area shall become a part of the district.

Section 15. Any district created hereunder may be abolished in the manner provided for in this Section 15; provided, however, that no district shall be abolished when it has any indebtedness.

Upon the petition for abolition of a district, conforming to the requirements set forth below, being filed with the Probate Judge he shall order an election on abolition of the district to be held in the district within the time provided for by Section 4, at which qualified electors residing within the district shall be entitled to vote. The petition shall be signed by at least 100 qualified electors of the district. It shall contain a recital that the district is not indebted; and it shall request the Probate Judge to order an election on whether the district shall be abolished. Upon the officers canvassing the returns of the election certifying that abolition of the district was approved by a majority of the votes cast at the election, the district shall be abolished.

Section 16. The provisions of this Act are several. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 17. All laws or parts of law, whether general, special or local, in conflict with this Act are hereby repealed.

Section 18. This Act shall take effect upon its approval by the Governor or upon its otherwise becoming a law.

Personally appeared before me Phillip Sanguinetti, who being duly sworn, makes oath that he is President of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: June 21, 28, July 5, 12, 1973.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me this 18th day of July, 1973.

LOLA J. BRIGHT,
Notary Public.

By Mr. Goodwin (With Notice and Proof):

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held at public records of Colbert County; to authorize the destruction of old documents and not otherwise stored with the State Department of Archives and History.

Local Legislation No. 1.

Notice and Proof H. 1611:

A BILL
TO BE ENTITLED
AN ACT

Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commissioners of Colbert County may require the photographing or microphotographing, on plate or film of any record, document, plat, court file, book, map, paper, or writing made, acquired, or received as required by law by any official of Colbert County except those records that the board of registrars is required by law to make and keep, which may be photographed or microfilmed only if this procedure is approved unanimously by the board of registrars. Such photographs, microfilms, or prints made therefrom, when duly authenticated by the custodian thereof, shall have the same force and effect at law as the original record, or of a record made by any other legally authorized means, could have been so introduced and received. In like manner, reproductions made from such records by photographic or like process, when otherwise in compliance with applicable statutes, rules and regulations, shall be received and treated in any court of this State as fully as would a transcription or reproduction of such records made by any other means or process.

Section 2. The court or board is authorized to charge to any office, court, board, institution, department, or agency of the county the cost of photographing or microphotographing of public records belonging to that office, court, board, institution, department, or agency, by the charging of the cost of such work to that office, court, board, institution, department or agency's appropriation from the county budget.

Section 3. The court or board may from time to time appropriate amounts out of the general fund of the county sufficient to pay the cost of

photographing or microphotographing the public records belonging to the county, and may from time to time appropriate amounts sufficient to purchase necessary photographic or microphotographic equipment, materials and supplies therefor.

Section 4. The custodian of public records is authorized to photograph or microphotograph all public records existing as of the effective date of this act, and after such records have been processed and checked for clarity, all presently existing bound volumes may be offered to the State Department of Archives and History for permanent storage. Such volumes as are refused by the Department may be destroyed unless otherwise prohibited by law.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COLBERT COUNTY

Before me, J. T. Walker, a Notary Public in and for said State and County aforesaid, personally appeared Jim Crawford, Jr., Publisher of The Colbert County Reporter, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: June 21, 28 and July 5, 12, 1973, That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the postoffice at Tuscumbia, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

JIM CRAWFORD, JR.,
Publisher.

Sworn to and subscribed before me, this 20th day of July, 1973.

J. T. WALKER
Notary Public.

By Messrs. Turner, Cottingham, Reynolds, Williams, Carter, Boles and Waldrop:

H. 1612. To authorize Alabama Public School and College Authority to sell and issue \$27,000,000.00 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sales thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds from proceeds of the residue of certain excise taxes to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, the moneys so appropriated and pledged, and will not create a debt or obligation of the limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be

exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivision, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not effect the validity of any other portion of this Act.

Ways and Means.

By Messrs. Downing and Lyons:

H. 1613. To amend Act No. 2432, Regular Session, 1971, (Acts 1971 p. 3891) providing for the creation, incorporation, and operation of the Marine Environmental Sciences Consortium by designating it as a state agency and providing for a Board of Directors with full power and authority for its management; and to grant to state educational institutions and state, county, and municipal agencies authority to make contributions for its support.

State Administration.

By Mr. Fite (With Notice and Proof):

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

Local Legislation No. 1.

Notice and Proof H. 1614:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Marion County, Alabama, only. The Register of the Circuit Court in Equity of said County, in addition to all fees, commissions and other monies paid as compensation to such person by virtue of holding said office and any other office by virtue of holding said office of Register of the Circuit Court, shall be entitled to and shall be paid from the general funds of said County such sum on the first day of each quarter year,

being January 1, April 1, July 1 and October 1, as will make the total of all compensation paid to said Register for the immediately preceding quarter year equal the sum of Twelve Hundred Dollars (\$1,200.00).

Section 2. In the event the fees, commissions and monies otherwise (than this Act) paid the Register of the Circuit Court in Equity of Marion County, Alabama, by virtue of holding said office and any other office by virtue of holding said office of Register of the Circuit Court shall exceed the sum of Twelve Hundred Dollars (\$1,200.00) for any calendar quarter year, then no additional compensation shall be paid to the Register by the County for that quarter year only.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Don Thrasher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 13, 20, 27, and March 5, all in the year 1972.

DON THRASHER.

Sworn to and subscribed before me July 23, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Messrs. McBride, Doss, Boles and Hughes:

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or water line may cause shall be applied to reduce or off-set the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

Local Legislation No. 2.

By Messrs. Robertson, Parker, Bank and Culver:

H. 1616. To make a conditional appropriation for capital outlay purposes at the University of Alabama located in Tuscaloosa, Alabama for the 1973-75 biennium.

Ways and Means.

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By Messrs. Collins, Drake, Ellis, McCorquodale, Grey (D), Burgess, Meeks, McBride, Weeks, Dill, Doss, Turner, Bank, Williams, Waggoner, Jones (F), Snell, St. John, McNair, Owens, Jackson, Cross, Bowers, Lang, Hill, Carter, Boutwell, Callahan, Smith (P), Connell, Parker, King, Warren, Mims, Boles, Wynot, Adwell, Lutz, May and Benton:

H. 1617. Relating to motor vehicles; providing for the revocation of the driver's license of any person convicted of repeated violations of the traffic laws and who has been designated an habitual offender under the provisions of this Act; prescribing the procedure for the petition, hearing and appeal in such cases; and prescribing the penalties for driving after license has been suspended or revoked.

Highway Safety.

By Messrs. Parker and Culver:

H. 1618. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax collectors of such counties.

Local Legislation No. 1.

By Messrs. Parker and Culver:

H. 1619. To provide an annual expense allowance for the circuit clerks of all counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, which expense allowances shall be effective only for the duration of the present terms of office of the circuit clerks of such counties.

Local Legislation No. 1.

By Messrs. Parker and Culver:

H. 1620. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax assessors of such counties.

Local Legislation No. 1.

By Messrs. Erdreich, Meeks, Adwell, Falkenburg, Dill, Doss, Boutwell, Weeks, Timmons, McMillan, Boles, Hughes, Bowers and McNair:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp 797, et seq.) as amended, the power and authority to borrow money, to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds.

Local Legislation No. 2.

By Messrs. Barron, Jones (F), Harris and Hobbie:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Local Legislation No. 4.

By Messrs. Ellis, Smith (K), Barkett, Benton, Warren, Roberts, Erdreich, Naramore, Carter, Agee, Timmons, Wise and Edwards:

H. 1623. To amend Title 8, Section 60, Code of Alabama 1940, as amended, so as to include the rainbow trout as a designated game fish.

Conservation.

By Messrs. Stokes, Nettles, Downing and Roberts:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

Local Legislation No. 3.

By Messrs. Bank, Robertson and Culver:

H. 1625. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Local Legislation No. 1.

By Mr. Coshatt (With Notice and Proof):

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Local Legislation No. 1.

Notice and Proof H. 1626:

STATE OF ALABAMA
ST. CLAIR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973, if approved by a referendum vote of the populace.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the effective date of this act and thereafter the annual compensation of the following officials of St. Clair County shall be as herein-after designated:

- (A) Probate Judge—Fifteen thousand dollars annually. (\$15,000).
- (B) Circuit Clerk—Ten thousand five hundred dollars annually. (\$10,500)
- (C) Tax Assessor—Ten thousand five hundred dollars annually. (\$10,500)
- (D) Tax Collector—Ten thousand five hundred dollars annually. (\$10,500)

Section 2. In addition to the above mentioned annual compensation, each of the designated officers shall receive a monthly expense allowance of one hundred twenty five dollars (\$125) to be expended in carrying out the duties of the position.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective October 1, 1973, but only if approved by a majority of the qualified electors of St. Clair County voting at a referendum election held not less than three months after the final adjournment of the legislative session at which this law is enacted. The governing body of St. Clair County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the Provisions of Act No. of the 1973 Session of the Legislature, which adjusts and fixes the salaries, and allowances of certain officers of St. Clair County, be adopted? Yes () No ()."

If a majority of the votes cast at the election are "Yes," the provisions of this act shall become effective October 1, 1973. If a majority of the votes cast in the election under this act are "No," this act shall have no effect. The results of the election, however, shall be certified by the Judge of Probate of St. Clair County to the Secretary of State, who shall make a permanent record thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly

sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 23, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Taylor:

H. 1627. Relating to all counties having populations of not less than 150,000 nor more than 180,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Local Legislation No. 4.

By Mr. Headley:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

Local Legislation No. 1.

By Mr. Headley:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

Local Legislation No. 1.

By Messrs. McCorquodale, Lyons and Crowe:

H. 1630. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacture thereof for twelve (12) months after production or manufacture.

Ways and Means.

By Messrs. McCorquodale, Lyons and Crowe:

H. 1631. Relating to taxation, to provide for an exemption from ad valorem taxation of personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage

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the development of this state as a distribution center; to provide for certain warehouse, or storage facility records with regard to such property; and to repeal inconsistent laws.

Ways and Means.

By Mr. Grey (D) (With Notice and Proof):

H. 1632. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette, in Fayette County.

Local Legislation No. 1.

Notice and Proof H. 1632:

STATE OF ALABAMA
FAYETTE COUNTY

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to alter, re-arrange and extend the corporate limits of the City of Fayette, Fayette County, Alabama, to include the following territory:

S $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 12, Township 16 South, Range 13 West—80 acres;

NE $\frac{1}{4}$, Section 13, Township 16 South, Range 13, West—160 acres;

N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 13, Township 16, South, Range 13 West—10 acres;

SW $\frac{1}{4}$ Section 18, Township 16 South, Range 12 West—160 acres.

All that part of the NW $\frac{1}{4}$, Section 18, Township 16, Range 12, that is described as follows:

Beginning at NW corner of SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ thence S along W boundary line a distance of 55.6 feet to a point, thence turn an angle to the left 94 degrees 58 minutes and proceed NE a distance of 150 feet to a point on the center line of County Road, thence turn an angle to the left and proceed NW and N along the center of County Road a distance of 395 feet to a point of intersection with a County Road running NW; thence turn an angle to the left and proceed NW along center line of Road to a point of intersection with W boundary line of Section 18, thence turn an angle left and proceed SW along the West boundary of Section 18 to point of beginning.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost

to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

JACK BLACK.

Sworn to and subscribed before me July 13, 1973.

ELOISE F. THOMLEY,
Notary Public.

By Messrs. Crowe and Naramore:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Local Legislation No. 1.

By Messrs. Crowe and Naramore (With Notice and Proof):

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking applications for voter registration; to provide further for the powers, duties and compensation of such special registrars.

Local Legislation No. 1.

Notice and Proof H. 1634:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking applications for voter registration, to provide further for the powers, duties and compensation of such special registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The Walker County board of registrars is hereby authorized and empowered to hire two special voter registrars for Walker County whose duty it shall be to go into the various precincts of Walker County and take applications from prospective voters. All applications for registration taken by the special registrars under the provisions of this bill shall be taken by them to the board of registrars at the county seat for final processing and consideration.

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Section 2. The Walker County board of registrars shall appoint two special registrars each three months and no person shall serve as a special registrar more than three months out of each two year period.

Section 3. The special registrars appointed under provisions of this Act shall be paid \$12.00 per day while actually engaged in their duties and shall be paid in the same manner and from the same funds as are the members of the county board of registrars; provided, however, that such special registrars shall not be paid for more than four days work per month.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 12, 1973.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Waggoner and Falkenburg:

H. 1635. To provide a state scholarship program to promote the education of graduate nurses at the School of Nursing of the University of Alabama, Birmingham, and making appropriations therefor.

Ways and Means.

By Mr. Timmons (With Notice and Proof):

H. 1636. To further amend Sections 1, 2, 3 and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under

Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

Local Legislation No. 2.

Notice and Proof H. 1636:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973, application will be made for the adoption of a law, herein called "the proposed law" which would amend in the respect below stated, Sections 1, 2, 3 and 6, of Act No. 22 of the Second Special Session of 1956, approved March 23rd, 1956, (Ala. Acts., Special Sessions of 1956, Page 290 et seq.) as heretofore amended.

The proposed law would delete the following word and figures:

"September 1, 1964" whenever said word and figures appear in said Sections 1, 2, 3 and 6; and in place and instead of said word and figures deleted, as aforesaid, the proposed law would substitute the following word and figures:

"September 1, 1971" Said Act 22 now provides that pensions of persons retired under Act No. 307 of the Regular Session of the Legislature of 1943, (Ala. Acts, 1943, P. 264) shall be based on, or related to, salaries of active members of the Fire Department in effect on September 1, 1964. The purpose of the proposed law is to secure the pensions to be based on, or related to, salaries of active members of the Fire Department in effect on September 1, 1971. If that date is not acceptable to the Legislature, application will be made for a provision, in the proposed law, requiring the said pensions to be based on, or related to, salaries of active members of the Fire Department in effect on some other date between September 1, 1964 and September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of General Circulation, Published and Printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, and 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

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By Messrs. Taylor, Lutz, Smith (P), Barron and Jones (F) :

H. 1637. To provide that the Secretary of State shall furnish each circuit judge with a set of the Code of Alabama 1940, as amended, for each courthouse or location where said judge holds court.

Ways and Means.

By Mr. Taylor:

H. 1638. Relating to the municipal courts of cities having a population of not less than 135,000 nor more than 155,000; allowing the judge of such court to refer persons appearing before him, whom he believes to be non compos mentis, to the probate judge of the county in which said city lies for the purpose of a sanity examination.

Local Legislation No. 4.

By Mr. Coshatt (With Notice and Proof) :

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 1639:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Ashville, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said town, all territory now within such corporate limits, and also other territory within St. Clair County, Alabama, described as follows:

The Southeast diagonal one-half of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 7, Township 14 South, Range 4 East; and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, all of Section 18, Township 14 South, Range 4 East;

And the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, all of Section 19, Township 14 South, Range 4 East;

And the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, all of Section 24, Township 14 South, Range 3 East; the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of

the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and all of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying Northwest of St. Clair County Highway No. 33 (Beaver Valley Road); and all of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying Northwest of the St. Clair County Highway No. 33 (Beaver Valley Road); and all of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying north of State Highway No. 25 and St. Clair County Highway No. 33, all in Section 25, Township 14 South, Range 3 East. The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 14 South, Range 4 East. All the above described lands situated in St. Clair County, Alabama, and being contiguous and adjacent to the present boundary lines of the said Town of Ashville, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Book-keeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 9, 1973.

ANNE T. MILAM,
Notary Public.

By Messrs. Crowe and Naramore (With Notice and Proof):

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Local Legislation No. 1.

Notice and Proof H. 1640:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County; abolishing the office of County Solicitor in said county; creating in lieu thereof the office of Assistant District Attorney

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for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of County Solicitor in Walker County is hereby abolished and there is hereby created in lieu thereof the office of Assistant District Attorney for the Fourteenth Judicial Circuit. The duties of the Assistant District Attorney for the Fourteenth Judicial Circuit shall be to assist prosecutions in the circuit court, and to conduct prosecutions in all county courts or courts of similar jurisdiction in Walker County.

Section 2. The Assistant District Attorney for the Fourteenth Judicial Circuit shall be appointed by the District Attorney of said circuit from a list of candidates submitted by a nominating committee which shall be composed of all circuit judges in said circuit, all judges of county courts or courts of similar jurisdiction in Walker County, and the President of the Walker County Bar Association. The Assistant District Attorney shall receive \$12,500 per annum as total compensation for all duties, from the general funds of Walker County in equal bi-monthly installments.

(1) The incumbent county solicitor shall continue in office until the Assistant District Attorney shall be appointed as provided herein. Upon appointment of the Assistant District Attorney, the County Solicitor shall vacate said office, and shall serve at the pleasure of the District Attorney.

a. Said District Attorney's office shall be maintained in the Walker County Courthouse and said county shall provide office space, supplies, etc.

b. Additional personnel for the office of the District Attorney shall be added to provide for the necessary clerical help for the operation of this office.

Section 3. The provision of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 12, 1973.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Crowe and Naramore (With Notice and Proof):

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

Local Legislation No. 1.

Notice and Proof H. 1641:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing the Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), is hereby amended to read as follows:

"Section 2. The Intermediate Court of Walker County shall have the following power, authority, and jurisdiction:

"(a) All power, authority and jurisdiction which was by law vested in the court hereby abolished and which is now, or hereafter may be, conferred on or vested in county courts under the general laws of this State.

"(b) All power, authority, and jurisdiction which is now, or which hereafter may be, conferred on or vested in the juvenile court of Walker County.

"(c) That the court hereby established shall be a court of Record and have exercise civil jurisdiction in all civil matters of which interior courts have jurisdiction under the general laws of the state, concurrently with the inferior courts in Walker County, and, in addition there to the said court shall have jurisdiction concurrently with the circuit court in all civil cases where the amount in controversy exceeds the amount of fifty dollars (\$50.00), but

not exceed the sum of Three thousand dollars (\$3,000.00), provided that where the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or on a conditional sales contract, the amount in controversy shall for the purpose of determining jurisdiction be the balance of the mortgage in suit whichever may be less. Said court shall also have jurisdiction of proceedings for discovery of assets of judgment debtors which it shall exercise in the same manner and according to the same procedure and with the same power provided by law with respect to civil judgments in Circuit Court. The Clerk of the Intermediate Court of Walker County shall be entitled to the following fees in Civil cases: For filing suits over \$100.00 but less than \$1,000.00—\$15.00. For filing suits over \$100.00 but less than \$2,000.00—\$20.00. For filing suits over \$2,000.00 but less than \$3,000.00—\$25.00. For filing suits involving the forms of action such as detinue, ejectments, etc.—\$12.00. For filing affidavits in garnishments on judgments, etc.—\$7.00. For filing suits less than \$100.00—\$3.00.

“(d) Jurisdiction concurrent with the circuit court relating to the custody of children in cases of voluntary separation of husband and wife, which are now, or which hereafter may be vested in the circuit court under the provisions of Section 79, Title 34, Code of Alabama 1940. All power, authority, and jurisdiction relating to domestic relations which is now vested in the Law and Equity Court of Walker County or which hereafter may be conferred on or vested in the probate courts or which is conferred on or vested in the probate courts under Article 3 of Chapter 4 of Title 34, Code of Alabama 1940, or any other laws relating to the duties of a husband toward his wife or any parents toward their children and the Intermediate Court shall have all the power, authority, and jurisdiction conferred on or vested in the probate courts under the provisions of Chapter 7 of Title 13, or any other laws relating to juvenile delinquents, probation officers, wards of the State, and dependent and neglected children.

“(3) Jurisdiction concurrent with the circuit court of Walker County of all misdemeanors committed in the county.

“(f) Jurisdiction concurrent with the circuit court of Walker County in all matters pertaining to habeas corpus proceedings instituted in Walker County, and in all matters pertaining to divorce proceedings held under the provisions of Chapter 2 of Title 34, Code of Alabama 1940.”

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 9, 1973.

R. W. BOTELER, JR.,
Notary Public.

By Mr. Fite:

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Reid (R) (With Notice and Proof):

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Local Legislation No. 1.

Notice and Proof H. 1643:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the office of the sheriff in Blount County; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Be It Enacted by the Legislature of Alabama:

Section 1. In the absence of any general law of statewide application fixing the annual salaries of deputies of the sheriff, in Blount County, the following officers and employees in the office of the sheriff shall receive the following annual salaries in lieu of all other compensation and allowances: chief deputy, \$7,500; all other deputies, \$7,200 each; clerk, \$5,700; jailer, \$6,300. There shall be employed in said office such number of deputies and other personnel as the county commission and the sheriff may agree are necessary for the efficient operation of the office. If it is determined that additional personnel is necessary, the sheriff may set the salaries of same, subject to the approval of the county commission. The sheriff shall be entitled to select his own deputies and employees and they shall serve at his pleasure. All salaries

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herein provided for shall be paid in equal monthly instalments in the same manner as salaries are paid to other county officers. The salaries prescribed in this section shall become effective on the first day of the first month next following this act becoming law.

Section 2. The county commission, in Blount County shall furnish the sheriff with office space, books, stationery, office equipment, supplies, postage, telephone and radio service.

Section 3. Said county commissioner shall in addition provide for the use of the office of the sheriff such number of automobiles, fully equipped with radio and other necessary official equipment as the commission and the sheriff may agree are necessary. All costs and charges for fuel maintenance and liability insurance for such automobiles shall be provided by the county commission.

Section 4. Beginning October 1, 1974, all employees of the sheriff's office shall be entitled to receive an annual increase in salary which shall be paid in the same manner and at the same percentage rate as provided for other county employees.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, but the provisions of Sections 1 and 4 hereof shall become operative as specifically provided in said sections.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 5th day of July, 1973.

JANE HILL,
Notary Public.

By Mr. Reid (R) (With Notice and Proof):

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to

file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

Local Legislation No. 1.

Notice and Proof H. 1644:

NOTICE OF
PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. In Blount County every county officer, including members of the State House of Representatives, receiving any compensation for performing the duties of his office shall file with the probate judge in January of each year, beginning in January, 1974, an annual financial statement showing the amount of compensation for the performance of the duties of his office that he received during the immediately prior year. Compensation shall include any fees, allowances or salaries paid to such officer for the performance of any of the duties of his office. Provided, however, if said officer is paying his employees from his personal funds than such amount may be deducted from his gross compensation.

The probate judge shall keep on file the financial statements required to be filed under the provisions of this act. He shall also publish in February of each year, beginning in February, 1974, a copy of said financial statements and said publications shall be in a newspaper published and in general circulation in Blount County.

Section 2. Any county officer and any probate judge of the county who violates any of the provisions of this act is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Southern Democrat, a newspaper of general circulation

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published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 12th day of July, 1973.

JANE HILL,
Notary Public.

By Mr. Grainger:

H. 1645. To authorize the Alabama Board of Nursing to grant from its contingency fund \$50,000 per year for each fiscal year ending in September of 1974 and 1975 to qualified agencies, individuals or institutions to promote voluntary continuing education for registered nurses and Licensed Practical Nurses.

Health.

By Messrs. Timmons and Adwell:

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

Local Legislation No. 2.

By Mr. Snell (With Notice and Proof):

H. 1647. Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions of their respective associations or in the conduct of other business for the county.

Local Legislation No. 1.

Notice and Proof H. 1647:

NOTICE

STATE OF ALABAMA,
COUNTY OF CHAMBERS.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions of their respective associations or in the conduct of other business for the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Chambers County shall be entitled to receive the following salaries in lieu of all other compensation heretofore prescribed for them by law.

- (a) Probate Judge—fifteen thousand dollars (\$15,000) annually.
- (b) Sheriff—twelve thousand dollars (\$12,000) annually.
- (c) Circuit Clerk—ten thousand two hundred dollars (\$10,200) annually.
- (d) Tax Assessor—ten thousand two hundred dollars (\$10,200) annually.
- (e) Tax Collector—ten thousand two hundred dollars (\$10,200) annually.
- (f) Coroner—twelve hundred dollars (\$1,200) annually, plus mileage at the rate of 8¢ per mile for necessary travel in the performance of his duties.

Section 2. The governing body of Chambers County shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this act in such manner as may be reasonably necessary for the efficient conduct of their respective offices.

Section 3. The governing body of Chambers County shall provide the judge of probate, sheriff, circuit clerk, tax assessor, and tax collector, with the books, stationery, office equipment, supplies, postage, and other conveniences and conveyances as may be necessary for the proper and efficient conduct of the affairs of their respective offices.

Section 4. The governing body of Chambers County shall have the authority to fix and pay allowances to county officers for travel outside the county and other necessary expenses incurred to attend the conventions of their respective associations, or for any other expenses incurred by such county officers in the conduct of business for the county which requires travel outside the county.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this are repealed.

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Section 7. The provisions of this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, 11, and 18, all in the year 1973.

BONNIE HAND.

Sworn to and subscribed before me July 18, 1973.

GEORGE A. JACKSON,
Notary Public.

By Messrs. Lutz, Grainger, Hearn, King and Hale (With Notice and Proof):

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Local Legislation No. 4.

Notice and Proof H. 1648:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The District Attorney of Madison County shall have the power and authority to appoint a bailiff to serve the Grand Jury of such county when it is in session, or when his services are deemed necessary by the District Attorney in preparation for a session or meeting of the Grand Jury of such county.

Section 2. Each bailiff so appointed shall receive an annual salary determined and set by the Madison County Commission, but not to exceed \$7,200.00 annually, payable in monthly installments out of the treasury of the county upon proper warrant drawn upon the General Fund of Madison County, except that any bailiff appointed under this Act shall be paid only for those days, weeks, or other portions of any particular month that he shall be so engaged to work, it being the intent of this Act that the position so authorized by it shall be a part-time position and that any person employed by authority of this Act and paid pursuant to it shall not be considered a full-time county employee.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 17, 24, 31, and June 7, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 18th day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. McMillan, Timmons and Barron:

H. 1649. To provide that adopted persons shall be treated as natural children under the laws and in the courts of this state.

Judiciary.

By Mr. Lang:

H. 1650. Relating to counties having a population of not less than 18,500 nor more than 20,500, according to the most recent federal decennial census; to provide further for the taking of fresh water mussels from the public rivers and streams of said counties.

Local Legislation No. 1.

By Messrs. Stewart, Wood, Crowe, Roberts, Robertson, Erdreich, Falkenburg, Boutwell and Bank:

H. 1651. A BILL TO BE KNOWN AS THE "DECEPTIVE TRADES PRACTICES AND CONSUMER PROTECTION LAW"; defining certain words and phrases; creating an office of consumer protection and delegating authority to and prescribing responsibilities for that office; creating a con-

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sumer advisory board; authorizing the Office of Consumer Protection and the office of the Attorney General to receive federal funding; delegating authority to and prescribing responsibilities for the Attorney General; establishing and prohibiting unlawful trade practices; providing for the promulgation and interpretation of rules and regulations; providing for exemptions from this Act; authorizing the Attorney General to restrain prohibited acts and to seek other relief; providing for the powers of receivership; providing for private actions; providing for assurances of voluntary compliance; authorizing the Attorney General to investigate for prohibited acts; issue subpoenas and hold hearings; providing for service and enforcement of investigative demands; providing penalties; providing for duties of District, County, and City Attorneys; providing for the jurisdiction of the Act; establishing a statute of limitations.

Commerce and Transportation.

RESOLUTION

The following resolution was introduced:

By Mr. Hobbie:

H. J. R. 158. EXTENDING BEST WISHES AND APPRECIATION TO CAPTAIN B. G. BRYANT.

WHEREAS, Captain B. G. Bryant is serving as a representative of the Fraternal Order of Police, and

WHEREAS, Captain Bryant has been State President of the Fraternal Order of Police for the past five years, and

WHEREAS, Captain Bryant, affectionately known as "Bob", is now confined to Jackson Hospital in Montgomery, Alabama,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring, that we extend to him our best wishes for a speedy and full recovery, that we extend to him our appreciation for his friendship and services to the State of Alabama and to his fellowmen, and that the Clerk of the House of Representatives transmit a copy of this resolution to Captain Bryant, to the local and State Fraternal Order of Police, and to the Police Commissioner of the City of Montgomery, Alabama.

On motion of Mr. Hobbie, the rules were suspended and the resolution, H. J. R. 158, was adopted.

RECESS

On motion of Mr. Hobbie, the House stood in informal recess for one hour.

Yeas 58; Nays 11.

Yeas:

Messrs.:	Bassett	Carnes	Coshatt
Adams	Benton	Carter	Cottingham
Adwell	Boutwell	Casey	Cross
Agee	Brassell	Cauthen	Downing
Barron	Callahan	Chesnut	Drake

Easters	Hearn	McMillan	Stokes
Edwards	Hobbie	McNair	Stubbs
Falkenburg	Hughes	Mims	Turner
Fite	Jackson	Nettles	Waldrop
Flippo	Jones (F)	Owens	Wallace
Gafford	Kinsey	Porter	Warren
Goodwin	Lang	Reed (T)	Weeks
Grey (D)	Lutz	Reynolds	Wise
Harris	McCorquodale	St. John	Wynot
Headley	McDonald	Stewart	

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Nays:

Messrs.:	Dill	King	Smith (P)
Connell	Erdreich	McBride	Timmons
Crawford	Hale	Meeks	Wood

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MOTION ADOPTED

The motion of Mr. Naramore, to obtain special leave of the House for the Standing Committee on Highway Safety to sit during the sitting of the House, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 553. Relating to Blount County; to require the County Board of Education to provide all public school bus drivers with liability insurance in the amount required by the Alabama Motor Vehicle Safety Responsibility Act.

Also:

H. 657. To permit banks now or hereafter situated in Sumter County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

H. 665. To provide further for the compensation of deputy sheriffs and the jailer in counties having populations of not less than 42,000 nor more than 49,500.

Also:

H. 668. To alter, rearrange and extend the corporate limits of the Town of Detroit, Lamar County, Alabama.

Also:

H. 704. To provide that the Marengo County commission shall have authority to appoint additional deputy sheriffs and establish their salary, to make the provisions of this Act retroactive to August 1, 1969.

Also:

H. 705. Relating to Marengo County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to

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provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 750. Relating to counties having a population of not less than 42,000 nor more than 49,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 766. To provide for the compensation of jurors in Limestone County.

Also:

H. 767. Relating to Limestone County to repeal Act No. 83, H. 327, 1959 Regular Session (Acts of 1959, p. 499), entitled "An Act To regulate, define and license the practice of barbering in Limestone County, Alabama; to provide rules and regulations concerning sanitation and cleanliness in and about barber shops in said county; to create a board of barber examiners for said county, and define its powers and duties; to fix the punishment for the violation of the provisions of this Act."

Also:

H. 769. Relating to Limestone County; to authorize the county governing body to print and sell a book about the history of Limestone County.

Also:

H. 770. Relating to Limestone County; providing that the governing body of Limestone County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 178. To authorize the Cullman County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 179. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Cullman County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 181. To provide an additional fee for recording change of ownership of motor vehicles in Cullman County and for the use thereof.

Also:

H. 182. To provide additional revenue in Cullman County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Act No. 248, H. 87, Regular Session 1955, (Acts 1955, p. 586), as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Also:

H. 193. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Also:

H. 194. To amend further Act No. 154, H. 746, Regular Session 1965, which act creates the office of commissioner of licenses in certain counties classified on a population basis, so as to make further provisions respecting the compensation of such commissioners.

Also:

H. 222. To provide further for the election and qualifications of the members of the governing body of Cherokee County.

Also:

H. 227. Relating to Madison County; authorizing the clerk of the county court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Also:

H. 229. Relating to the Circuit Court of Madison County; to authorize the clerk of said court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Also:

H. 288. To increase the salary range for the stenographic secretary for the district attorney and circuit judge of the Thirty-Seventh Judicial Circuit.

Also:

H. 369. To authorize cities having a population of not less than 135,000 nor more than 185,000 inhabitants according to the most recent fed-

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eral decennial census, to make grants to certain corporations in order to foster economic development in such cities.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 919. To further amend Section 1 of Act No. 148, H. 166, Special Session 1969, (Acts 1969, p. 215), which section fixes the compensation of members of the jury commission in all counties having populations of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census; so as to provide for an increase in the compensation paid to the members of said jury commission in said counties; and providing retroactive effect therefor.

Also:

H. 920. To further amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Also:

H. 929. Relating to counties having a population of not less than 52,500 nor more than 53,000 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Also:

H. 933. To amend Act No. 2141, Alabama Law, Regular Session, 1971, "To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000."

Also:

H. 934. To authorize the City of Dothan to appropriate funds for the relief of Floyd Clayton, subject to certain conditions.

Also:

H. 935. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

Also:

H. 936. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal

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election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

Also:

H. 959. Relating to St. Clair County; to authorize the County Governing body to provide books, stationery, postage and other conveniences and supplies to the County Coroner; to make the provisions of this Act retroactive to September 8, 1961.

Also:

H. 763. To amend further Section 1 of Act No. 1170, S. 674, Regular Session 1969 (Acts 1969, p. 2179) as amended, which provides for the regulation of annual salaries of sheriffs of the several counties of the state, classified on a population basis, with compensation being on a salary basis, so as to provide that in all counties having a population of not less than 26,000 nor more than 26,800, the annual salary of the sheriff shall be not less than \$13,000 nor more than \$15,000.

Also:

H. 815. To provide additional exemptions from the Marion County sales and use tax law.

Also:

H. 696. To provide that the clerk of the court collecting solicitor's or district attorney's fees in the eleventh judicial circuit shall place such fees into a Judges' and District Attorney's Fund, and to authorize certain expenditures from such fund.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 724. To repeal Act Number 1360, H. 2200, approved September 17, 1971, page 2302, Regular Session 1971, entitled "An Act to provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County."

Also:

H. 725. To provide for reimbursing the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court of Houston County, Alabama, for certain expenses incurred while out of the county in performance of the duties as such county official, reimburse each the cost of membership in his association including actual expenses incurred traveling to and from and attendance of such meetings.

Also:

H. 726. To amend Section 1 and Section 6 of Act Number 870 page 1630, H. 1521, of the regular session of the Legislature of Alabama 1971, en-

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titled, "An Act to provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office."

Also:

H. 727. To provide for reimbursing the employees of the Probate Judge, County revenue commissioner, Clerk circuit court and the register of the circuit court of Houston County, Alabama, for expenses incurred in travel outside their respective county.

Also:

H. 797. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the sheriff of such counties, and providing for retroactive effect.

Also:

H. 798. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Also:

H. 846. Relating to counties having populations of not less than 33,550 nor more than 34,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Also:

H. 869. Relating to counties having populations of not less than 27,000 nor more than 27,900, authorizing an appropriation from county funds for certain purposes.

Also:

H. 871. To provide for the compensation of jurors in Lawrence County.

Also:

H. 875. To amend the title and Section 1 of Act No. 530, S. 562, Regular Session 1967 (Acts 1967, p. 1275), which Act provides further for compensation of the members of the county board of education in certain counties classified on a population basis; providing retroactive effect.

Also:

H. 882. To amend further Code of Alabama Title 7, Section 724, which relates to subscriptions for and filing of weekly newspapers by certain county officers, so as to exempt the clerk of the circuit court from the provisions of this section in counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 883. Relating to the office of the sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the sheriff's office and their salary.

Also:

H. 884. To authorize the Marshall County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 885. Relating to The Douglas Water and Fire Protection Authority, a corporation; to confer additional authority upon said corporation which was organized in Marshall County under Act No. 107, S. B. 2, First Special Session 1965, as amended in respect to the establishment, construction, operation, improvement, and financing of gas distribution facilities and services.

Also:

H. 888. Relating to the powers of counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Senate has passed the following House Bills and returns same herewith to the House:

H. 557. Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Also:

H. 395. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants, according to the most recent federal decennial census; to provide further for the compensation of jurors in such counties.

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Also:

H. 396. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the board registrars in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Also:

H. 397. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the boards of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Also:

H. 398. To authorize the payment of expenses to members of the county board of education in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent or any subsequent federal decennial census, and to authorize the operation of the Act to be retroactive to August 10, 1965.

Also:

H. 408. Relating to all counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Also:

H. 538. Relating to counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 541. To amend the title and Section 2 of Act No. 20, H. 10, Second Special Session 1971 (Acts 1971, p. 4147), which title and section provide for the payment of \$15 per day for each day served to the jury commission of counties having a population of not less than 10,660 nor more than 10,900, so as to provide for an increase in compensation to \$20 per day served.

Also:

H. 703. To amend Section 1 of Act No. 349, H. 869, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 706. To amend Section 1 of Act No. 348, H. 868, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 754. Relating to Perry County, to provide that the Sheriff shall be entitled to the allowances payable by the State for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 655. To amend Section 8 of Act No. 261, H. 571, Regular Session 1947, (Local Acts 947, p. 187), as amended, which act provides for the maximum compensation of the county engineer of Sumter County.

Also:

H. 656. Relating to The Sumter County Commission, providing for the payment of additional expense allowances of members of the county commission or like governing body of Sumter County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 545. Relating to the office of the sheriff in all counties having populations of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Also:

H. 641. Relating to counties having a population of not less than 33,550 nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 671. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

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Also:

H. 723. Relating to Houston County; Providing for the payment of the Salary and expense allowance to the coroner of said county and to validate salary and expense allowance heretofore paid to the coroner by the governing body and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 114. NAMING A PORTION OF THE PUBLIC HIGHWAY KNOWN AS THE HIGHWAY NO. 72 BY-PASS LOCATED IN SCOTTSBORO THE "JOHN T. REID PARKWAY."

Also:

H. J. R. 129. COMMENDING THE OFFICERS AND MEN OF THE COAST GUARD CUTTER POINT VERDE AND EXTENDING APPRECIATION OF THE LEGISLATURE.

Also:

H. J. R. 135. MOURNING THE DEATH OF JAMES A. SIMPSON.

Also:

H. J. R. 136. MOURNING THE DEATH OF JAMES A. SIMPSON.

Also:

H. J. R. 137. MOURNING THE DEATH OF WILLIE EARL LINDSEY.

Also:

H. J. R. 142. WISHING L. T. WAGNON MANY HAPPY YEARS OF LEISURE UPON HIS FORTHCOMING RETIREMENT AS COUNTY AGENT IN LAUDERDALE COUNTY.

Also:

H. J. R. 143. COMMENDING HARRY W. BOLAND OF OPP FOR RISKING HIS OWN LIFE TO AID OPP POLICEMAN ROBERT EARL ANDERSON.

Also:

H. J. R. 144. RECOGNIZING DR. JESSE M. RICHARDSON UPON HIS RETIREMENT.

Also:

H. J. R. 146. COMMENDING MR. CLARENCE M. KELLEY UPON HIS RECENT APPOINTMENT AS DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 27. INVITING THE ALABAMA VIETNAM POW'S TO APPEAR BEFORE THE LEGISLATURE.

Also:

H. J. R. 112. DECLARING THE INTENT OF THE LEGISLATURE NOT TO REPEAL CODE OF ALABAMA, RECOMPILED 1958, TITLE 32, SECTION 11(1), POCKET SUPPLEMENT.

Also:

H. J. R. 127. EXTENDING SYMPATHY TO THE FAMILY OF REP. CHARLES THERRELL UPON THE DEATH OF HIS FATHER.

Also:

H. J. R. 138. CONGRATULATING REPRESENTATIVE AND MRS. JAMES C. WOOD ON THE BIRTH OF A SON.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 937. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 690. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turnham:

H. J. R. 159. MOURNING THE DEATH OF REV. PAUL WEEKLEY

WHEREAS, on July 15, 1973, Rev. Paul Weekley died after a life of dedicated service to his church, his community and his fellow man; and

WHEREAS, Rev. Weekley poastored 26 churches in East Alabama and West Georgia, most recently serving as pastor of the Union Grove Baptist Church of Opelika; and

WHEREAS, Rev. Weekley served the Abanda Baptist Church on three different occasions for several years; and

WHEREAS, Rev. Weekley will be sorely missed by his loved ones and many friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the loss of Rev. Paul Weekley and express our sympathy to the members of his family.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be sent to the members of Rev. Weekley's family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 159, on the Clerk's desk for one legislative day.

Also:

By Messrs. Cauthen, Harris and Hobbie:

H. J. R. 160. COMMENDING THE ALABAMA YMCA YOUTH LEGISLATURE ON ITS 25th ANNIVERSARY.

WHEREAS, during the past 25 years the Alabama YMCA Youth Legislature has rendered great service to the Youth of our State. In this period of time more than 12,000 different High School youth have participated in the program which enables them to be better prepared as citizens of tomorrow; and

WHEREAS, the 25th Anniversary of the Youth Legislature was highlighted by the address to the Youth Legislature by the Honorable Spiro T. Agnew, Vice President of the United States. This being the first such address by Mr. Agnew in Alabama to a youth group and the first address by the Vice President to any YMCA group in more than three administrations, his appearance brought recognition to this program all over the United States; and

WHEREAS, the 25th Anniversary of the Youth Legislature was further enhanced by the participation of Governor George C. Wallace who addressed the Youth Legislature at their session on Friday morning and played a key role in the 25th Anniversary banquet on Saturday night; and

WHEREAS, the importance of this program to the people of Alabama is further noted by the leadership given by more than fifty members of the Legislature who serve as Associate members; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Youth Legislature be commended for its outstanding service to the Youth of our State and that school Principals, the State Department of Education and others be urged to give their full support to this program, helping it to reach out to serve more Youth in an effective method of learning about our State Government.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 160, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Baker:

S. 169. To re-divide the state into judicial circuits so as to create a Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

Also:

By Mr. Clark:

S. 188. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to provide for the form of ballot to be used in such election and to provide the method of voting for Presidential or Vice Presidential elector candidates.

Also:

By Mr. Littleton:

S. 107. To further amend Act No. 533, Acts of Alabama, 1957 Regular Session, page 750, entitled "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund," and to regulate expenditure therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961

Special Session, page 2082, and by Act No. 1051, Acts of Alabama, 1969 Regular Session, page 1965.

Also:

By Mr. Dominick:

S. 284. To provide for the creation, staffing, and functioning of a fiscal office to serve both houses of the Legislature and the members thereof.

Also:

By Messrs. Edington, Shelby, Pierce, Noonan, Owen, Horne, Harris, Lybrand, O'Bannon, Lindsey and Melton:

S. 131. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

Also:

By Messrs. Fine, Clark, Foshee, Owen and Pelham:

S. 111. To amend Section 3 of Act 437, H. 713, Acts of Alabama, 1949, page 633, which relates to establishing a sinking fund by municipalities, by amending Section 3 of said act so as to authorize employment of a savings and loan association, organized either under the laws of the State of Alabama or of the United States, to act as Trustee of such sinking fund.

Also:

By Messrs. Fine, Clark, Owen, Foshee and Pelham:

S. 113. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

Also:

By Mr. Gilmore:

S. 386. To authorize incorporated cities and towns to transfer and convey with, or without consideration, to a medical clinic board incorporated pursuant to Act No. 516 adopted at the 1955 Regular Session of the Legislature of Alabama, approved September 9, 1955 (Acts of 1955, p. 1160, et seq.) as amended, with the approval of its governing body, any property, including medical clinics or clinical facilities, hospitals and hospital facilities and assets, and any land used or useable for medical clinic or hospital purposes, including any hospitals or hospital property or assets received by such municipality upon the dissolution of a hospital building authority incorporated pursuant to the provisions of Act No. 109, General Laws of Alabama, approved August 1, 1961.

Also:

By Messrs. Jones and Pierce:

S. 130. To amend Section 319 of Title 46, Code of Alabama, 1940, as amended, which relates to the practice of Veterinary Medicine and surgery in Alabama.

Also:

By Mr. Hawkins:

S. 162. To amend Section 333 of Title 52 of the Code of Alabama, Recompiled 1958 and 1969, which provides for the charging of a fee for the issuance of teacher certificates and sets the amount of the fee and for the repeal of Section 350 of Title 52, Code of Alabama, Recompiled 1958 and 1969, providing for the disposition of fees paid by the applicants for teachers certificates.

Also:

By Messrs. King, Vacca, McLain, Horne, Noonan, Weaver, Pierce, Lybrand and Jones:

S. 137. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Also:

By Messrs. King, Vacca, McLain, Horne, Noonan, Weaver, Pierce, Lybrand and Jones:

S. 138. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

Also:

By Mr. Lindsey:

S. 294. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

Also:

By Messrs. Malone, McLain, Harris, Clark, Fine, Foshee, Littleton, Hawkins, Carr, Pierce, Jones, Vacca, Melton, Register, Weaver and Baker:

S. 273. To amend Title 22, Section 199 and 199 (1) relating to the system of care for tuberculosis patients.

Also:

By Messrs. Fine, Clark, Owen, Foshee and Pelham:

S. 114. To further amend Section 265, Title 37, Code of Alabama, 1940, which section relates to investment of sinking funds so as to provide

that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository of sinking funds.

Also:

By Messrs. Fine, Clark, Owen, Foshee and Pelham:

S. 115. To amend Act No. 246, Page 203, Acts of 1943, which relates to the investment of funds of counties, cities and towns so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States may be appointed as a depository of municipal or county funds.

Also:

By Mr. Noonan:

S. 195. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of the reappraisal of property in that county required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of certain taxes and other revenues and funds; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; and to provide for the sharing of payment of the principal of and interest on such warrants by all entities receiving any part of the proceeds from ad valorem taxation of property in said county.

Also:

By Messrs. Owen and Jones:

S. 342. To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida.

Also:

By Messrs. Pelham, Noonan and Edington:

S. 396. To amend Section 85 of Title 2, Code of Alabama, 1940, as last amended, relating to incorporated marketing associations so as to expressly include persons engaged in fishing activities and the harvesting of aquatic products within its provisions.

Also:

By Messrs. Jones, Owen and Pierce:

S. 364. To further amend Section 8 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the Advisory Board of Conservation and Natural Resources; providing that two additional members be added to the Advisory Board of Conservation; providing that the semi-annual regular meetings of said Board be held at times designated by chairman of Board or

the Commissioner of Conservation and Natural Resources; eliminating requirement that meetings of Board be held in offices of the Department of Conservation and Natural Resources; and eliminating the prohibition on more than two special meetings of Board per year.

Also:

By Mr. Shelby:

S. 427. To amend Section 1 of Act No. 470, S. B. 182, Regular Session 1969, (acts 1969, v. 1, p. 912), which Act relates to the per diem travel allowance of state officers and employees traveling on official business for the state, so as to increase the maximum amount allowed each such person.

Also:

By Mr. Vacca:

S. 136. Prohibiting the larceny, removal, or abandonment of shopping carts from the premises of grocery stores and other merchant stores; and providing penalties therefor.

Also:

By Mr. Baker:

S. 149. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

Also:

By Mr. Wilder:

S. 293. To amend Act No. 222, S. 225, Regular Session 1969 (Acts 1969, p. 542), which relates to authorizing the State Treasurer to destroy certain cancelled state warrants after six years elapse from issuance of said cancelled warrants, so as to allow such destruction after three years.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 169. Judiciary.
- S. 188. Constitution and Elections.
- S. 107. Commerce and Transportation.
- S. 284. Ways and Means.
- S. 131. Judiciary.
- S. 111. Banking.
- S. 113. Banking.
- S. 386. Health.
- S. 130. Health.
- S. 162. Education.

- S. 137. Education.
- S. 138. Education.
- S. 294. Local Legislation No. 1.
- S. 273. Health.
- S. 114. Banking.
- S. 115. Banking
- S. 195. Local Government.
- S. 342. Conservation.
- S. 396. Agriculture.
- S. 364. Conservation.
- S. 427. Ways and Means.
- S. 136. Judiciary.
- S. 149. Education.
- S. 293. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Littleton:

S. 179. Relating to counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

By Mr. Lybrand:

S. 236. To authorize any city in any county having a population of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census, to establish, maintain and operate a nonprofit ambulance service.

Also:

By Mr. Wilder:

S. 244. To authorize the sheriff of Counties having a population of not less than 33,500 nor more than 34,000, to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Also:

By Mr. Branyon:

S. 299. To provide for the regulation by the Board of Education in counties with a population not less than 14,000 and not more than 15,000, according to the most recent federal decennial census, of the salary of the Superintendent of Education of such counties; establishing a maximum and minimum salary; establishing compensation for Board of Education members; to provide for retroactive effect.

Also:

By Mr. Lindsey:

S. 388. Relating to Choctaw County; providing for the payment to the Judge of Probate or Juvenile Court Judge of Choctaw County for expenses of attending conferences of Judges of Probate or Juvenile Court Judges.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

The following bill will be introduced in the Legislature of the State of Alabama, in substantially the following form, which affects Choctaw County, viz:

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County; providing for the payment to the Judge of Probate or Juvenile Court Judge of Choctaw County for expenses of attending conferences of Judges of Probate or Juvenile Court Judges.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply in Choctaw County, Alabama.

Section 2. The Judge of Probate or Juvenile Court Judge of Choctaw County shall be entitled to receive from the county treasury payment for expenses, including but not limited to membership dues and other expenses incurred in attending State or National conferences, schools, and other functions attended by said judges pertaining to their official position of Judge of Probate or Juvenile Court Judge, which payment shall be in addition to all other compensation and allowances now provided by law. Such payments shall be paid on warrants approved by the Choctaw County Commission or governing body of Choctaw County on any funds in the county treasury not otherwise appropriated.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall take effect immediately following the date of its enactment.

STATE OF ALABAMA CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Legal as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for four consecutive weeks commencing with the issue date March 23, 1972, and ending with the issue dated April 13, 1972. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

REGULAR SESSION
21st Day

1861

Sworn and subscribed to before me this, the 4th day of May, 1973.

NELL F. EZELL.

Also:

By Mr. Lindsey:

S. 389. Relating to Choctaw County; providing the authority for the Judge of Probate, Choctaw County, Alabama to appoint his deputies or clerks to solemnize matrimony.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

The following bill will be introduced in the Legislature of the State of Alabama, in substantially the following form, which affects Choctaw County, viz:

A BILL
TO BE ENTITLED
AN ACT

Relating to Choctaw County; providing the authority for the Judge of Probate, Choctaw County, Alabama, to appoint his deputies or clerks to solemnize matrimony.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply in Choctaw County, Alabama.

Section 2. The Judge of Probate, Choctaw County, Alabama, is hereby given the authority to appoint his deputies or clerks to solemnize matrimony with all the legal rights thereto pertaining.

Section 3. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Legal as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for four consecutive weeks commencing with the issue date March 23, 1972, and ending with the issue dated April 13, 1972. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

Sworn and subscribed to before me this, the 4th day of May, 1973.

NELL F. EZELL

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 179. Local Legislation No. 1.
- S. 236. Local Legislation No. 1.
- S. 244. Local Legislation No. 1.
- S. 299. Local Legislation No. 1.
- S. 388. Local Legislation No. 1.
- S. 389. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Baker:

S. 404. Relating to any county having a population of not less than 15,400 nor more than 15,625, for fixing the salary of the county superintendent of education.

Also:

By Mr. Baker:

S. 405. To apply only in counties having populations of not less than 15,400 nor more than 15,625; providing an additional expense allowance for the register in chancery of such counties.

Also:

By Mr. Baker:

S. 422. To permit any bank now or hereafter having an office or place of business in Fort Payne, Alabama, to establish, maintain and operate additional offices or places of business in such city, with the approval of the Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the regular session of the Legislature of Alabama of 1973 a bill substantially as follows will be introduced and application for its passage will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank now or hereafter having an office or place of business in Fort Payne, Alabama, to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

REGULAR SESSION
21st Day

1863

Section 1. Any bank authorized to engage in the banking business in Fort Payne, Alabama and having an office or place of business in Fort Payne, Alabama, shall have the power to establish, maintain and operate within the limits of such city or the police jurisdiction thereof, one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or additional place of business, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DEKALB

Before, me, the undersigned authority in and for said County in said State, this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, 10, 17, and 24, all in the year 1973.

JERRY E. WHITTLE.

Sworn to and subscribed before me , 19 .

MARY RUTH BROWN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 404. Local Legislation No. 1.
- S. 405. Local Legislation No. 1.
- S. 422. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Melton:

S. 391. Relating to Conecuh County to provide for the elimination of the final record from criminal cases in the county court; and to allow the original file and docket sheet of said court to stand as the final record.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County to provide for the elimination of the final record from criminal cases in the county court; and to allow the original file and docket sheet of said court to stand as the final record.

Be It Enacted by the Legislature of Alabama:

Section 1. The final record of all criminal cases in the county court of Conecuh County is hereby eliminated; and the original file and docket sheets of said courts shall stand as the final record of said cases.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 7, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

Also:

By Mr. Melton:

S. 392. Relating to Monroe County, to provide for an additional expense allowance for the members of the Monroe County Board of Registrars.

REGULAR SESSION
21st Day

1865

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MONROE

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Monroe County, to provide for an additional expense allowance for the members of the Monroe County Board of Registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Monroe County Board of Registrars shall be entitled to receive an expense allowance in the amount of \$10.00 for each day they are authorized by law to meet. This expense allowance shall be paid out of county funds and shall be in addition to any and all other expense allowances, salary and compensation of the members of the Board of Registrars of Monroe County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

BILL STEWART.

Sworn to and subscribed before me May 31, 1973.

FRANCES REID NETTLES,
Notary Public.

Also:

By Mr. Register:

S. 419. Relating to counties having a population of not less than 52,500 nor more than 53,000 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Also:

By Mr. Harris:

S. 387. To name the allied health building at John C. Calhoun Junior College after Mr. Barrett C. Shelton.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 391. Local Legislation No. 1.
- S. 392. Local Legislation No. 1.
- S. 419. Local Legislation No. 1.
- S. 387. Education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Malone:

S. 225. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment made:

Synopsis: This bill alters, rearranges and extends the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B," north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Gadsden, in Etowah County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Begin at the northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 15, T 12 S, R 6 E; thence south along the east line of said quarter quarter to a point on the west line of Block 1 of the Rearrangement of Lots 34 and 36, Block 2, and Lots 19-24, Block 1, of Crestview Land Company's Addition, as recorded in Plat Book "E," Page 225; thence south 27 degrees 22' west along the west line of said rearrangement to the southwest corner of Block 1 of the Rearrangement of Lots 34 and 36, Block 2, and Lots 19-24, Block 1, of Crestview Land Company's Addition, as recorded in Plat Book "E," Page 225, thence south 50 degrees 13' east to the southeast corner of lot 19, Block 7, Crestview Land Company's Addition, as recorded in Plat Book "D," Page 145; thence south 34 degrees 37' west for a distance of 2202 feet, more or less, to the southeast corner of Fraction "B," Section 15, T 12 S, R 6 E; thence south 87 degrees 30' west along the south line of Fraction "B," to a point on the east bank of the Coosa River; thence continue south 87 degrees 30' west along the south line of Fraction "B," projected, crossing the Coosa River, to a point on the west bank of the Coosa River at the contour elevation of 511.0 feet above mean sea level datum, as established by the United States Coast and Geodetic Survey, as adjusted in January, 1955, and the present city limits of Gadsden; thence continue along the meander of said city limits to the point where it intersects Rainbow Drive on its east side and crosses to the west side of same; thence continue northerly along said west right-of-way of Rainbow Drive and said city limit to the point said city limits intersects the 511 contour line at Big Wills Creek bridge; thence continue to follow easterly the present city limits along the 511 contour line and northerly along the west bank of the Coosa River to the point where the City limits line intersects the northwest corner of Section 15, R 6 E, T 12 S; and thence easterly along the north line of said Section and the present city limits to the point of beginning.

Said properties being a part of Sec. 15, T 12 S, R 6 E, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B," north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades, not now incorporated into the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Peggy Ann Culberson a Notary Public, in and for said County, in said State, personally appeared Geraldine M. Gladden, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Advertiser Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of The State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the Bill to Legislature, which notice was printed in the Gadsden Times in its regularly circulated editions on Sept. 11, 18, 25th, and Oct. 2nd., 1972, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appears in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 17th day of October, 1972.

GERALDINE M. GLADDEN.

Subscribed and sworn to before me on this 17th day of Oct., 1972.

PEGGY ANN CULBERSON,
Notary Public.

Also:

By Mr. Shelby:

S. 238. Relating to Tuscaloosa County, to amend further Section 7, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which act relates to the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, Alabama, so as to change the percentage composition of the fund; and also to exclude overtime pay, bonuses, and similar type pay from the regular salary deductions which produce the revenue for the above mentioned fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

REGULAR SESSION
21st Day

1869

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County, to amend further Section 7, of Act. No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), at last amended, which act relates to the Fireman's and Policeman's Pension and Relief Fund for the City of Tuscaloosa, Alabama so as to change the percentage composition of the fund; and also to exclude overtime pay, bonuses, and similar type pay from the regular salary deductions which produce the revenue for the above mentioned fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act. No. 328, 1959 Regular Session (1959 Acts, p. 907, vol. 2), as last amended, is hereby amended to read as follows:

"Section 7. Said firemen's and policemen's pension and relief fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be deducted, excluding any bonuses, overtime, or similar type pay as the same becomes payable, and paid into said fund, an amount equal to six per centum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is ineligible to participate in the benefit of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary or other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Fireman's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance, done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insurance company shall pay, at the time aforesaid, to the said Firemen's and Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's pension and Relief Fund the sum of One Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each year, make and file a sworn statement, in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city for the use of such fund and all such forfeitures and penalties provided for herein, when

collected, shall be and become a part of said Firemen's and Policeman's Pension and Relief Fund. Provided, however, that the said sum equal to one and one-half per centum of gross premiums, less return premiums, required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four per cent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended. C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery or saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policeman or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property; and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to twelve per centum of the salary (salary shall not include bonuses, overtime, or similar type pay) of each member of such fire and police department who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 13, 20, 27, and May 4, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me May 4, 1973.

LA JUNE BURNETT,
Notary Public.

Also:

By Mr. Lindsey:

S. 259. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARENGO

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), is hereby amended to read as follows:

"Section 2. The salary of the county superintendent of education in Marengo County shall be fixed by the county board of education at an amount not less than \$12,000 nor more than \$20,000 a year. Such salary shall be payable at the time and in the manner prescribed by the general laws of Alabama regulating the payment of compensation of county superintendents of education. Each such county superintendent of education shall also be allowed travel expenses not less than \$2,000 nor more than \$4,000 a year, exclusive of extraordinary expenses. Such allowances for extraordinary expenses shall be made on the basis of each individual request therefor and in such amount as the county board of education, in its discretion, determines is reasonable under the circumstances and specifically authorizes."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, 12, and 19, all in the year 1973.

GOODLOE SUTTON.

Sworn to and subscribed before me April 27, 1973.

DOROTHY C. THOMPSON,
Notary Public.

My Commission Expires: February 14, 1976.

Also:

By Mr. Baker:

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply Dekalb County.

Section 2. The term "licensing officer," as used in this act shall mean the judge of probate, or other officer charged with the duty of issuing motor vehicle licenses in such county.

Section 3. On or after the first day of September each year, the licensing officer, if he elects to do so, may mail an application in the form and containing the information herein-after provided to all owners of motor vehicles listed as such in the motor vehicle license records (including transfers) in his office or, at his option, to such owners as request that such application be mailed to them. The application shall be on a form approved by the state department of revenue. The application form shall contain a space for the name and address of the owner of the motor vehicle and the make, model, year, and motor number of his motor vehicle and such other information with respect thereto as the state department of revenue may prescribe. The application form shall also contain a space for the correct amount of advalorem taxes (state, county, school districts and municipal) and the amount of the motor vehicle license tax due thereon and the issuance fee, including the mailing fee provided for herein. The application form shall also contain a space for the owner to fill in his present address, if different from that shown in the application form, and a space for his signature. The licensing officer shall cause

the application form to be filled in with the name and address of the owner; the description of the motor vehicle; the license tax and fees to become due on October 1st succeeding, as shown on the license registration and transfer records in his office; and the amount of ad valorem taxes on said motor vehicle for the preceding tax year as provided by Title 51 Section 704, Code of Alabama 1940, as amended. The licensing officer shall thereupon cause the application, so filled in to be mailed to the owner of the motor vehicle at his address shown thereon, or at the address to which such owner requests that the application form be mailed. The owner of the motor vehicle, if he is still the owner of the motor vehicle and if he desires to pay his motor vehicle ad valorem taxes and license tax and secure his motor vehicle registration tag by mail, shall sign the application form, indicating thereon any change of address, and return the same by mail together with this remittance for ad valorem taxes, license taxes, and fees as shown thereon to the director of the department. Money orders and checks for the payment of such taxes and fees shall be made payable to the licensing officer. Upon receipt of the signed application form and the remittance for the amount properly due for ad valorem taxes, license tax, and fees, the licensing officer shall thereupon mail a receipt for such taxes and fees and the license tag for his motor vehicle to the owner thereof. When an application is returned to the licensing officer, unsigned or when less than the correct amount of the taxes and fees due therefor have been paid, due to a change of address or other cause, such application shall be returned to the owner for correction or for signature. A return of such application or remittance shall not, however, extend the time within which taxes may be paid or a tag secured. If more than the correct amount of taxes and fees is received the licensing officer shall retain the correct amount of taxes and fees and return the excess together with the tag for the motor vehicle.

Section 4. All applications for motor vehicle tags by mail and the correct amount of taxes and fees shall be received by the licensing officer on or before November 10th preceding the November 15th on which the motor vehicle license tag is due and payable, and the licensing officer shall mail such tag on or before November 14th preceding such November 15th. The licensing officer shall charge and collect a fee of one dollar for each motor vehicle license tag issued by mail, in addition to all other fees prescribed by law. Such additional fee shall be paid by the owner of the motor vehicle with his mailed request for license tags, and all such fees collected by the licensing officer shall be paid into the general fund of the county. The actual expense of mailing application forms to the owners of motor vehicles and of mailing tags as hereinabove provided shall be paid from the general fund of the county upon proper warrant signed by the licensing officer and approved by the county governing body as provided by law. All the forms necessary in the administration of this Act shall be furnished by the state department of revenue.

Section 5. The procedure authorized by this Act for the payment of ad valorem taxes and motor vehicle license taxes and the issuance of license tags is optional, additional, and alternative to the procedure now provided by law. Each owner of a motor vehicle shall continue to have the right to pay taxes and to receive his tag in person without the payment of the additional fee hereinabove provided.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dr. Marvin L. Barron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 9, 16, 23, and 30th, all in the year 1973.

DR. MARVIN L. BARRON.

Sworn to and subscribed before me May 21, 1973.

CAREY BAKER,
Notary Public.

Also:

By Mr. Fine:

S. 271. Relating to Franklin County; further regulating the number and compensation of deputy sheriffs; and, providing retroactive effect for certain provisions of the act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL TO BE ENTITLED AN ACT

Relating to the compensation of deputy sheriffs in Franklin County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Franklin County shall provide for the compensation of all deputy sheriffs employed by the sheriff of Franklin County. Such compensation shall be paid by the county out of any funds in the county treasury not otherwise appropriated. The compensation of the chief deputy sheriff shall be set at a figure not less than four hundred dollars per month and all other deputies shall receive not less than three hundred dollars per month.

21st Day

Section 2. All laws or parts of laws which conflict with this Act, whether general, special or local, are hereby repealed and this Act shall be the sole basis for compensation of deputy sheriffs in Franklin County, provided however, that the provisions of this Act shall not abrogate any statute providing for expense allowances of deputy sheriffs in Franklin County.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF FRANKLIN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 22, 29, April 5, and 12, all in the year 1973.

CLAUDE E. SPARKS.

Sworn to and subscribed before me April 13, 1973.

MAE G. STREIT,
Notary Public.

Also:

By Mr. Shelby:

S. 277. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Also:

By Mr. Littleton:

S. 288. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of all deputies employed in the sheriff's department and for the compensation of the chief deputy.

Also:

By Mr. Littleton:

S. 289. To amend Section 1 of Act No. 121, H. 22, Regular Session 1971 (Acts 1971, p. 204), which act fixes the fee for the issuance of pistol

permits by the sheriff and for the disposition and use of such fees in certain counties classified on a population basis.

Also:

By Mr. Littleton:

S. 290. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of circuit court bailiffs.

Also:

By Mr. Fine:

S. 173. To permit banks now or hereafter situated in counties having a population of not less than 16,600 nor more than 16,950 according to the last or most recent federal decennial census, to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

By Mr. Fine:

S. 272. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants, according to the most recent federal decennial census; to provide for an additional expense allowance for the district attorney in such counties.

Also:

By Mr. Owen:

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE AN ACT

To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the City Council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Be It Enacted by the Legislature of Alabama:

Section 1. It is determined and declared that in the City of Fairhope the free circulation of traffic of all kinds through the streets of said City is necessary to the health safety and general welfare of the public; that in recent years, the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in the streets of said City; that the parking of motor vehicles in the streets has contributed to this congestion; that

such congestion prevents the free flow of traffic in, through and from the City of Fairhope and impedes the rapid and effective fighting of fires and disposition of its police force, threatens irreparable loss of values of urban property within the city which can no longer be readily reached by vehicular traffic and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this Act is hereby declared to be a public necessity.

Section 2. The city council or other municipal governing body of the City of Fairhope hereby is authorized and empowered to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or condemnation, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and develop any undeveloped property owned, leased or controlled by such City for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this Act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve, maintain, equip, operate, regulate and protect parking facilities; to lease or let such facilities or any one or more of them to such tenant or tenants for such term or terms, as such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this Act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city; to cooperate with the state, any county, city, town, public corporation, agency, department or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purposes of this Act; to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, from the state, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. The council or other governing body is hereby specifically authorized to lease any said parking facilities constructed under the provisions of this Act; provided, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and unless the terms under which the project is to be leased; provided that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of

maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principle of and interest on the bonds issued to finance the parking facility, (b) to build up and maintain any reserves deemed by the council or other governing body to be advisable in connection therewith, (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance) of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement may, at the discretion of the council or other governing body, contain provisions prescribing minimum operating hours, maximum operating hours, maximum charges to be collected by the operator and other terms to be observed by the lessee.

Section 4. The principal of and interest on any bonds issued under this Act shall be secured by a pledge of the revenue out of which such bonds may be made payable and may be secured by a mortgage covering all or any part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings or mortgage, the terms to be included in the lease of such project, the maintenance and issuance of such project, and the rights and remedies available in event of default of the bond holders or to the trustee under a mortgage, all as the governing body shall deem advisable and as shall not be in conflict with the provisions of this Act; provided, however, that in making any such agreements or provision the City of Fairhope shall not have the power to obligate itself except with respect to the project and the application of the revenues therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may provide that, in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such proceedings or the provisions of such mortgage. Any such mortgage may provide also that, in the event of default such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon the City of Fairhope or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by the City of Fairhope by the issuance of its refunding bonds in such an amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in

connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby; provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or if they are called for redemption, prior to the date on which they are by their terms subject to redemption. Any refunding bonds issued under the authority of this Act shall be payable solely from the revenues out of which the bonds to be refunded thereby were payable, and shall be subject to the provisions contained in Section 4, of this Act, and may be secured in accordance with the provisions of Section 3, of this Act.

Section 6. The proceeds from the sale of any bonds issued under authority of this Act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction of any part of a project which may be constructed, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and insurance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of construction.

Section 7. The City of Fairhope may pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project.

Section 8. Bonds issued under the provisions of this Act shall be legal investments for savings banks and insurance companies organized under the laws of this state.

Section 9. The bonds authorized by this Act and the income therefrom, all mortgages executed as security therefore, all lease agreements made pursuant to the provisions hereof, and all projects and the revenues derived from any lease thereof shall be exempt from all taxation in the state of Alabama.

Section 10. The city council or other municipal governing body may, by local ordinance, create a parking authority or parking committee to which it may delegate all authority heretofore or hereafter held by said council with respect to the development, creation, operation and general supervision of any and all matters related to public parking. Said parking committee shall be composed of not less than seven nor more than thirteen members as the city council may decide, and all such members shall be residents of the City of Fairhope and over the age of twenty-one years. In so far as is nearly mathematically possible, of the members first appointed, one-third shall be appoint-

ed for terms of two years, one-third for terms of three years and one-third for terms of four years. Thereafter all members of the committee shall serve for terms of four years. Upon the creation of the parking committee, it shall assumed authority of the city council with respect to public parking in the City of Fairhope, and perform all duties in matters related thereto.

Section 11. Neither this Act nor anything herein contained shall be construed as a restriction or limitation upon any powers which the City of Fairhope might otherwise have under any laws of this state, but shall be construed as cumulative; and this Act shall not be construed as requiring an election by the voters of said city prior to the issuance of bonds hereunder by such municipality.

Section 12. If any section, provision or clause of this Act shall be declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT:

This is to certify that the attached legal notice appeared in The Fairhope Courier, a weekly newspaper published in the City of Fairhope, County of Baldwin, State of Alabama on the dates of April 19, 26 and May 3, 10, 1973.

MICHAEL M. BREEDLOVE,
Editor.

STATE OF ALABAMA COUNTY OF BALDWIN

Sworn to and subscribed before me this 21st day of May 1973.

LINDA H. BREEDLOVE,
Notary Public.

My commission expires Dec. 10, 1974.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 225. Local Legislation No. 1.
- S. 238. Local Legislation No. 1.
- S. 259. Local Legislation No. 1.
- S. 267. Local Legislation No. 1.
- S. 271. Local Legislation No. 1.
- S. 277. Local Legislation No. 1.
- S. 288. Local Legislation No. 1.
- S. 289. Local Legislation No. 1.
- S. 290. Local Legislation No. 1.

REGULAR SESSION
21st Day

1881

- S. 173. Local Legislation No. 1.
- S. 272. Local Legislation No. 1.
- S. 312. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lindsey:

S. 448. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Also:

By Mr. Shelby:

S. 237. To provide for a system of self-indexing of all land transfer instruments recorded in probate offices in counties having a population of not less than 115,000 nor more than 150,000 persons according to the last or any subsequent Federal Decennial Census.

Also:

By Mr. Fine:

S. 432. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the chairman and each member of the county commission.

Also:

By Mr. Foshee:

S. 433. Relating to all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Also:

By Mr. Baker:

S. 442. To repeal Act No. 563, H. 705, Regular Session 1967 and Act No. 857, H. 1491, Regular Session 1971, which authorize the chairman or president of the county governing bodies of counties having a population of 15,400 to 15,625 to make expenditures from the county road, bridge and public building fund.

Also:

By Mr. Shelby:

S. 461. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than four nor more than six Circuit Judges.

Also:

By Mr. Foshee:

S. 480. Relating to counties having a population of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

By Mr. Foshee:

S. 481. Relating to Covington County, Alabama, providing for allowances to the Sheriff of Covington County, Alabama, for feeding prisoners, preparing and serving food and other services incident to the feeding of prisoners in the county jails of Covington County, Alabama; providing that such allowances shall not be paid into the Treasury of Covington County, Alabama; and further providing that the payment of such allowances be retroactive to January 18, 1971.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Covington County, Alabama, providing for allowances to the Sheriff of Covington County, Alabama, for feeding prisoners, preparing and serving food and other services incident to the feeding of prisoners in the county jails of Covington County, Alabama; providing that such allowances shall not be paid into the Treasury of Covington County, Alabama; and further providing that the payment of such allowances be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. Allowance for the feeding of prisoners in the county jails as provided for by Code of Alabama, Title 45, Section 144; and allowance for providing and serving food and other services incident to the feeding of prisoners in county jails as provided for by Code of Alabama, Title 45, Section 145, shall be paid directly to the Sheriff of Covington County, Alabama, and not into the County Treasury of Covington County, Alabama.

Section 2. The payment of said allowances as provided in Section One hereof, shall be retroactive to January 18, 1971.

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Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me, the undersigned authority James W. Lambert, Jr., Editor of The Andalusia Star-News who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: May 2, 9, 16, and 23, 1973.

This the 25th day of May, 1973.

JAMES W. LAMBERT, JR.

Sworn to and subscribed before me this 25th day of May, 1973.

LORA JONES,
Notary Public.

Also:

By Mr. Owen:

S. 484. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill in substance as follows will be introduced at the current session of the Legislature of Alabama and an application will be made for its passage and approval:

"AN ACT"

To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limites of the City of Bay Minette in Baldwin County, Alabama, are hereby altered, rearranged, extended and fixed so as to include within the corporate limits of the said City additional territory, which additional territory and that now included within the corporate limits of the said City shall be the territory lying within the following described boundaries, to-wit:

Begin at the point where the North right of way line of the Louisville and Nashville Railroad intersects the East line of Section 3, Township 2 South, Range 3 East, thence Southwestwardly along the North right of way line of the said railroad to the South line of the said Section 3; thence West to the Southeast corner of the Southwest Quarter of the Southwest Quarter of the said Section 3; thence North to the Northeast corner of the Southwest Quarter of the Southwest Quarter of the said Section 3; thence West to the West line of the said Section 3; thence North to the half section post on the West line of the said Section 3; thence West to the Southeast corner of the West Half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 4, Township 2 South, Range 3 East; thence North to the Northeast corner of the West half of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 33, Township 1 South, Range 3 East; thence West to the East line of the Jack Springs Road; thence South westwardly along the East line of the Jack Springs Road to the North line of the South Half of the Southeast Quarter of the Southwest Quarter of Section 33, Township 1 South, Range 3 East; thence West to the Northwest corner of the South Half of the Southeast Quarter of the Southeast Quarter of Section 32, Township 1 South, Range 3 East; thence South to the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 5, Township 2 South, Range 3 East; thence West to the half section line in the said Section 5; thence South along the half section line of Sections 5, 8, 17 and 20, Township 2 South, Range 3 East, to the Northeast corner of the Southeast Quarter of the Northwest Quarter of the said Section 20; thence East to the East line of the said Section 20; thence South along the East line of the said Section 20 and along the East line of Section 29, Township 2 South, Range 3 East, to the Northeast corner of the Southeast Quarter of the Northeast Quarter of the said Section 29; thence East to the Northeast corner of the Southwest Quarter of the Northwest Quarter of Section 28, Township 2 South, Range 3 East; thence South to the South line of the said Section 28; thence East along the South line of the said Section 28 to the West right of way line of the Bay Minette and Fort Morgan Railroad; thence Northeastwardly along the West right of way line of the Bay Minette and Fort Morgan Railroad to the point where the said West right of way line intersects the North line of Section 21, Township 2 South, Range 3 East; thence East to the half section post on the North line of Section 22, Township 2 South, Range 3 East; thence North along the half section line through Section 15, Township 2 South, Range 3 East, to the half section post on the North line of the said Section 15; thence East along the North line of the said Section 15 to the Northeast corner thereof; thence North along the East line of Section 10, Township 2 South Range 3 East, and along the East line of Section 3, Township 2 South, Range 3 East, to the point or place of beginning, all of which said property is situated in Baldwin County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BALDWIN COUNTY

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the Editor of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of "An Act" City

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of Bay Minette, was published in said newspaper for four consecutive weeks in the following issues: Date of 1st publication May 24, 1973 Vol. 83 No. 22. Date of 2nd publication May 31, 1973. Vol. 83, No. 23. Date of 3rd publication June 7, 1973, Vol. 83, No. 24. Date of 4th publication June 14, 1973, Vol. 83, No. 25.

Subscribed and sworn before the undersigned this 14th day of June, 1973.

SAMUEL K. SMITH,
Notary Public,

J. H. FAULKNER, JR.,
Editor.

Also:

By Mr. Lindsey:

S. 476. To regulate further the compensation of the associate members and chairman of the Choctaw County Commission; to repeal conflicting laws and to repeal specifically the following laws and all amendments thereto: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796); and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440); and to provide for the effective date of this act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the compensation of the associate members and chairman of the Choctaw County Commission; to repeal conflicting laws and to repeal specifically the following laws and all amendments thereto: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796); and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440); and to provide for the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. After the effective date of this act, the associate members of the Choctaw County Commission shall each be entitled to nine hundred dollars (\$900) per month, and the chairman of said commission shall be entitled to one thousand dollars (\$1,000) per month for the performance of their official duties as members and chairman of said commission. Such compensation, excluding travel allowance and ex officio fees, shall be the entire compensation of such officers for such duties and shall be in lieu of all other

compensation and expenses heretofore provided by law for such officers. Such salaries shall be payable in equal monthly installments from any funds in the county treasury available for that purpose according to law.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws and parts of laws in conflict with this act are hereby repealed and the following laws and all amendments thereto are hereby specifically repealed: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, 1963 Regular Session (Acts 1963, p. 796) and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440).

Section 4. This act shall become effective as to all members and the chairman of the Choctaw County Commission immediately upon the expiration of the term or terms of office of the incumbent member or members whose term or terms first expire, as prescribed by Amendment No. 92 of the Constitution of Alabama 1901, as amended.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

C. D. BOZEMAN.

Sworn to and subscribed before me June 14, 1973.

NELL F. EZELL,
Notary Public.

Also:

By Mr. Lindsey:

S. 477. Relating to Choctaw County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Choctaw County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Choctaw County is hereby authorized to enter into contract for the purchase, lease or contractual services for providing data processing, computerized services or other modern or updated electronic based systems for bookkeeping, recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor and tax collector of said county. Said commission may provide for the microfilming of all records, documents, files, papers or other writings which are required by law to be recorded in the office of the probate judge, tax assessor or tax collector and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor or tax collector, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record of copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The probate judge of said county shall be authorized to select the type of services to be used and to recommend and approve all contracts therefor. Because of the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Choctaw County.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

C. D. BOZEMAN.

Sworn to and subscribed before me June 14, 1973.

NELL F. EZELL,
Notary Public.

Also:

By Mr. Lindsey:

S. 478. To provide that the Sheriff of Choctaw Count, Alabama, may collect and retain the fees and allowances allowed under law for feeding prisoners.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

The following bill will be introduced in the Legislature of the State of Alabama, in substantially the following form which affects Choctaw County, viz:

A BILL TO BE ENTITLED AN ACT

To provide that the Sheriff of Choctaw County, Alabama, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law to the contrary notwithstanding the Sheriff of Choctaw County, Alabama, shall be authorized to collect and retain for his own use, as a service allowance, the fees allowed under the general law for feeding and servicing prisoners, confined in the County Jail of said county.

Section 2. All laws or parts of laws in conflict with the provisions hereof be, and the same hereby are, expressly repealed.

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Section 3. This Act shall be effective retroactive to the beginning of the present term of office of the Sheriff of Choctaw County immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

C. D. BOZEMAN.

Sworn to and subscribed before me May 31, 1973.

NELL F. EZELL,
Notary Public.

Also:

By Mr. Lindsey:

S. 479. Relating to Choctaw County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

The following bill will be introduced in the Legislature of the State of Alabama, in substantially the following form which affects Choctaw County, viz:

A BILL
TO BE ENTITLED
AN ACT

Relating to Choctaw County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Be It Enacted by the Legislature of Alabama:

Section 1. In Choctaw County, Alabama, the procedure for redeeming lands sold for taxes in said county shall be the same as provided in Articles 5, Chapter 14, Title 51, Code of Alabama 1940, as amended, except that all such duties as are required of and performed by the probate judge shall be

transferred to and be performed by the tax collector, and the probate judge shall be relieved of all such duties.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall take effect on the first day of the month next following the date of its enactment, but it shall not affect proceedings that were begun before such date.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. BOZEMAN, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

C. D. BOZEMAN.

Sworn to and subscribed before me May 31, 1973.

NELL F. EZELL,
Notary Public.

Also:

By Mr. Harris:

S. 431. Relating to Morgan County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Morgan County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the

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supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. After the expiration of the present term of the incumbents of the office of Tax Assessor and Tax Collector of Morgan County, and beginning on the first day of October, 1979, there shall be a County Revenue Commissioner in Morgan County. Such Commissioner shall be elected in the November, 1978 general election and every six years thereafter in such general elections, and shall serve for a term of office six years from the first day of October next succeeding his election, and shall serve until his successor is similarly elected, qualified and takes office.

Section 2. The county revenue commissioner shall do and perform all acts, duties, and functions required by law to be performed either by the tax assessor or by the tax collector of the county relative to the assessment of property for taxation, the collection of taxes, the keeping of records and the making of reports concerning assessments for and the collection of taxes.

Section 3. Subject to the approval of the court of county commissioners or other like county governing body, the county revenue commissioner shall appoint and fix the duties and compensation of a sufficient number of deputies, clerks, and assistants to perform properly the duties of his office. The acts of deputies shall have the same force and legal effect as if performed by the county revenue commissioner himself.

Section 4. Before entering upon the duties of his office the county revenue commissioner shall take the oath of office prescribed by Article XVI of the Constitution of Alabama, and execute a bond in such sum as may be fixed by the court of county commissioners or like governing body of the county, giving as security thereon a bonding company authorized to do business in Alabama. The bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate. The cost of the bond required herein shall be paid out of the general funds of the county on warrant of the court of county commissioners or other like governing body of the county, and shall be a preferred claim against the county.

Section 5. The court of county commissioners or other like governing body of the county shall provide the necessary offices for the county revenue commissioner in the courthouse, and shall provide all stationery, equipment, and office supplies, not otherwise furnished by law, needed for the efficient performance of the duties of the office.

Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions and other allowances which the tax assessor and the tax collector of the county are now or hereafter by law authorized or directed to charge or collect for the performance of any duty hereby imposed on the county revenue commissioner. As compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of \$, payable in equal monthly installments out of the general fund of the county.

Section 7. The offices of Tax Assessor and Tax Collector of Morgan County are hereby abolished, effective on the first day of October, 1979.

Section 8. It is the purpose of this act to promote public convenience in Morgan County by consolidating the offices of tax assessor and tax collector into one office.

Section 9. All laws or parts of laws which conflict with this act are repealed.

Section 10. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This act shall become effective on the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the legislature to combine such offices is ratified and proclaimed as prescribed by law.

BOB HARRIS
RALPH SLATE
DAVID CAUTHEN

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before, me, the undersigned authority in and for said County in said State, this day personally appeared Barrett C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

BARRETT C. SHELTON.

Sworn to and subscribed before me June 7, 1973.

LUCY L. FERGUSON,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 448. Judiciary.
- S. 237. Local Legislation No. 1.
- S. 432. Local Legislation No. 1.
- S. 433. Local Legislation No. 1.
- S. 442. Local Legislation No. 1.
- S. 461. Local Legislation No. 1.
- S. 480. Local Legislation No. 1.

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- S. 481. Local Legislation No. 1.
- S. 484. Local Legislation No. 1.
- S. 476. Local Legislation No. 1.
- S. 477. Local Legislation No. 1.
- S. 478. Local Legislation No. 1.
- S. 479. Local Legislation No. 1.
- S. 431. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

By Mr. Wilder:

S. 246. To create and establish the Alabama State Board of Funeral Service; to establish rules and regulations; to provide for the licensing of funeral directors, embalmers and funeral establishments; to provide for the examination for licenses; and to set fees therefor; to establish qualifications of applicants for licenses; to establish procedure for election and terms of members of the board and to define powers and duties of the board; to provide penalties; and to repeal Title 46, Sections 121 through 128, Code of Alabama 1940, and all other conflicting laws.

Also:

By Mr. Foshee:

S. 248. To amend Section 5 of Act No. 166, H. 57, Third Special Session 1971 (Acts 1971, p. 4413), entitled, "An Act To amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 246. State Administration.
- S. 248. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 400. Relating to Morgan County; to declare the public policy of the State with respect to the violation of Section 420, Title 14, Code of Alabama 1940, as Amended; to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes; to declare that habitual violation of said statutes constitutes a legal nuisance; to provide certain further exemptions; to prevent unfair competition among merchants through violations of said statutes; and to provide for the enforcement by injunction from a court in equity of the provisions within Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Morgan County; to declare the public policy of the State with respect to the violation of Section 420, Title 14, Code of Alabama 1940, as Amended; to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes; to declare that habitual violation of said statutes constitutes a legal nuisance; to provide certain further exemptions; to prevent unfair competition among merchants through violations of said statutes; and to provide for the enforcement by injunction from a court in equity of the provisions within Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall be applicable within Morgan County, Alabama.

Section 2. Declaration of Policy. It is recognized that the maintenance of public health is of vital importance to the general welfare of the State of Alabama and of its people, and it is further recognized that the preservation of an opportunity for rest and relaxation is vital to the maintenance of public health. For the protection of the public health and general welfare, it has been deemed essential that one day be set aside each week as a day of rest and relaxation and this can best be accomplished and the enforcement thereof can best be policed by setting aside Sunday as a day to be observed, generally, for rest and relaxation; it is further recognized, however, that, for public convenience and necessity, certain activities are promotive of rest and relaxation, and are otherwise desirable for the general convenience of the citizens of this County. Section 420, Title 14, Code of Alabama 1940, as amended by an Act approved August 17, 1951, and as further amended by an Act approved July 24, 1953, has made unlawful the general performance of labor and other activities and has provided penalties for the violation thereof, subject to certain

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enumerated exceptions which are deemed by the legislature to be reasonable and necessary. For the purposes of this Act, and in addition to the enumerated exceptions in Section 420, Title 14, Code of Alabama 1940, as amended by an Act approved August 17, 1951, and as further amended by an Act approved July 24, 1953, there is also excepted by the provisions of this Act, due to public convenience and necessity within Morgan County, the operation of any merchant or shopkeeper who regularly employs at any time, not more than four persons. Habitual violations of this Act are deemed and declared to be a legal nuisance within Morgan County. The habitual violation of this statute by some merchants and shopkeepers causes them to unfairly compete with others who comply with the law, and the criminal penalties for violation are inadequate as a means to prevent the same, and there is no adequate remedy otherwise than to prevent such violations by injunction from the Circuit Court of Morgan County, Alabama, in Equity, or other court having similar jurisdiction.

Section 3. The provisions of this Act shall be applicable within the police jurisdiction of any municipality within Morgan County to the extent that any such municipality should attempt to enforce the provisions of Section 420, Title 14, Code of Alabama 1940, as Amended.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

BOB HARRIS
State Senator

RALPH SLATE

DAVID CAUTHEN
State Representatives

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

JACK W. HOFFHAUS.

Sworn to and subscribed before me June 8, 1973.

ELISE G. JOHNSTON,
Notary Public.

Also:

By Mr. Harris:

S. 401. To permit any bank now or hereafter having an authorized office or place of business in Hartselle, Alabama to establish, maintain and op-

erate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank now or hereafter having an authorized office or place of business in Hartselle, Alabama, to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the approval of this act, any bank authorized to engage in the banking business in Hartselle, Alabama, and having an office or place of business in Hartselle, Alabama, shall have power to establish, maintain and operate within the limits of such city or the police jurisdiction thereof, one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or additional place of business shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

BOB HARRIS
State Senator

RALPH SLATE

DAVID CAUTHEN
State Representatives

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

JACK W. HOFFHAUS.

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Sworn to and subscribed before me June 8, 1973.

ELISE G. JOHNSTON,
Notary Public.

Also:

By Mr. Harris:

S. 403. To provide that the County Commission of Morgan County, Alabama shall consist of a Chairman and four other members and that the Chairman shall be a resident of Morgan County, Alabama and that one member of the Commission shall be a resident of District 1, that one member of the Commission shall be a resident of District 2, that one member of the Commission shall be a resident of District 3 and that one member of the Commission shall be a resident of District 4 and that the Chairman and the members of the Commission presently in office shall continue in office for the respective terms for which they were elected and that members of the Commission residing in Districts 1 and 2 shall be elected at the general election to be held in November, 1974 and every four years thereafter, and that members of the Commission who are residents of District 3 and District 4 shall be elected at the general election to be held in November, 1974 and every four years thereafter and that the Chairman shall be elected at the general election in November, 1974 and every six years thereafter and to prescribe the times when the Chairman and members shall take office and that at any primary election at which candidates for nomination to the office of Chairman of the Commission and members of the Commission are made and at any general election at which the Chairman and members of the Commission are to be elected, the qualified electors of Morgan County shall be entitled to vote, and to prescribe the qualifications of the Chairman and members of the Commission and for the vacation of the office of any member of the Commission other than the Chairman, if he shall cease to be a resident of the District in which he resided at the time of his election and for the appointment of his successor and for a successor in the event of a vacancy for any other cause, and to provide for the severability of the provisions of this Act and to repeal all laws in conflict with this Act to the extent of such conflict and to provide when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

NOTICE

Notice is hereby given that at the present special session of the Legislature of Alabama, and if not enacted then at the next session, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the County Commission of Morgan County, Alabama shall consist of a Chairman and four other members and that the Chairman

shall be a resident of Morgan County, Alabama and that one member of the Commission shall be a resident of District 1, that one member of the Commission shall be a resident of District 2, that one member of the Commission shall be a resident of District 3 and that one member of the Commission shall be a resident of District 4 and that the Chairman and the members of the Commission presently in office shall continue in office for the respective terms for which they were elected and that members of the Commission residing in Districts 1 and 2 shall be elected at the general election to be held in November, 1974 and every four years thereafter, and that members of the Commission who are residents of District 3 and District 4 shall be elected at the general election to be held in November, 1972 and every four years thereafter and that the Chairman shall be elected at the general election in November, 1974 and every six years thereafter and to prescribe the times when the Chairman and members shall take office and that at any primary election at which candidates for nomination to the office of Chairman of the Commission and members of the Commission are made and at any general election at which the Chairman and members of the Commission are to be elected, the qualified electors of Morgan County shall be entitled to vote, and to prescribe the qualifications of the Chairman and members of the Commission and for the vacation of the office of any member of the Commission other than the Chairman, if he shall cease to be a resident of the District in which he resided at the time of his election and for the appointment of his successor and for a successor in the event of a vacancy for any other cause, and to provide for the severability of the provisions of this Act and to repeal all laws in conflict with this Act to the extent of such conflict and to provide when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The Morgan County Commission of Morgan County, Alabama shall consist of a Chairman of the Commission and four other members of the Commission. The Chairman of the Commission shall be a resident of Morgan County, Alabama. One member of the Commission shall be a resident of District 1, one member of the Commission shall be a resident of District 2, one member of the Commission shall be a resident of District 3, and one member of the Commission shall be a resident of District 4.

Section 2. The chairman and the other four members of said Commission presently in office shall continue in office for the respective terms for which they have been elected.

Section 3. A member of the Commission who is a resident of District 1 and a member of the Commission who is a resident of District 2 shall be elected at the general election to be held in November 1974 and every four years thereafter. A member of the Commission who is a resident of District 3 and a member of the Commission who is a resident of District 4 shall be elected at the general election to be held in November 1972 and every four years thereafter. A Chairman of the Commission shall be elected at the general election in November, 1974, and every six years thereafter. The Chairman of the Commission shall take office on the fourth Monday in January following his election and the other members of the Commission shall take office on the first Tuesday after the second Monday in January following their election.

Section 4. At any primary election at which candidates for nomination to the office of Chairman of the Commission and members of the Commis-

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21st Day

sion are made and at any general election at which the Chairman and members of the Commission are to be elected, the qualified electors of Morgan County, Alabama shall be entitled to vote.

Section 5. The Chairman and each member of the Commission shall be of the age of twenty-one years or over and shall be qualified electors.

Section 6. Whenever a member of the Commission, other than the Chairman, shall cease to be a resident of the District in which he resided at the time of his election, his office as a member of the Commission shall become vacant and his successor shall be appointed by the Commission to serve for the unexpired term and any person appointed as such successors shall have the same qualifications as the elected member and shall be a resident of the District in which the member whose office has become vacant resided at the time of his election. In the event of a vacancy in the Commission, for any other cause, the successor shall be appointed by the Commission to serve for the unexpired time and any person appointed as such successor shall have the same qualifications as the member whose office became vacant and shall be a resident of the District in which the member whose office has become vacant resided at the time of his election, except the Chairman shall reside in Morgan County.

Section 7. Districts 1, 2, 3, and 4 referred to herein are the districts as now constituted, created by Act number 283 of the 1959 regular session of the Legislature of Alabama.

Section 8. The invalidity of any section or part of this Act shall not affect the remainder thereof.

Section 9. All laws or parts of laws which are in conflict with this Act are repealed to the extent of such conflict.

Section 10. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

BOB HARRIS,
RALPH SLATE,
DAVID CAUTHEN.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Barrett C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

BARRETT C. SHELTON.

Sworn to and subscribed before me June 1, 1973.

LUCY L. FERGUSON,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 400. Local Legislation No. 1.
- S. 401. Local Legislation No. 1.
- S. 403. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Melton:

S. 360. Relating to Wilcox County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WILCOX

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Wilcox County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act Shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Wilcox County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971.

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21st Day

1901

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

M. HOLLIS CURL.

Sworn to and subscribed before me May 29, 1973.

GLEND A. CURL,
Notary Public.

Also:

By Mr. Melton:

S. 361. To repeal Act No. 216, H. 560, 1951 Regular Session (Acts 1951, p. 487) entitled "An Act To create the office of County Solicitor of Wilcox County, Alabama; to fix the qualifications of the County Solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act N. 216, H. 560, 1951 Regular Session (Acts, 1951, p. 487) entitled "An Act To create the office of County Solicitor of Wilcox County, Alabama; to fix the qualifications of the County Solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 216, H. 560, 1951 Regular Session (Acts 1951, p. 487) entitled "An Act To create the office of County Solicitor of Wilcox County, Alabama; to fix the qualifications of the County Solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize a county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps," is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 20, May 3, and 10, all in the year 1973.

M. HOLLIS CURL.

Sworn to and subscribed before me May 29, 1973.

GLEND A. CURL,
Notary Public.

Also:

By Mr. Melton:

S. 362. To provide an expense allowance to the official court reporter of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance to the official court reporter of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

Be It Enacted by the Legislature of Alabama:

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1903

Section 1. In addition to all other allowances and compensation now provided by law, there shall be paid to the official court reporter of the Thirty-fifth Judicial Circuit of Alabama, in equal monthly installments, an allowance of two thousand dollars (\$2,000.00) per annum, for the purpose of defraying the expenses of such official court reporter in the performance of her official duties. The allowance provided for herein shall be paid from the general funds of the counties composing the circuit on a pro rata basis calculated upon the assessed value of taxable property in the counties of the circuit for the previous fiscal year, as shown by the records of the tax assessors' offices, in such manner that each county shall pay such proportion of said expense allowance as the assessed value of all property in the county bears to the total assessed value of all property within the counties composing the judicial circuit.

Section 2. This act is cumulative and does not supersede or repeal any other law, general, special or local.

Section 3. This act shall take effect on the first day of the first succeeding month after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

BILL STEWART.

Sworn to and subscribed before me May 31, 1973.

FRANCIS REID NETTLES,
Notary Public.

STATE OF ALABAMA
COUNTY OF CONE CUH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance to the official court reporter of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other allowances and compensation now provided by law, there shall be paid to the official court reporter of the Thirty-fifth Judicial Circuit of Alabama, in equal monthly installments, an allowance of two thousand dollars (\$2,000.00) per annum, for the purpose of defraying the expenses of such official court reporter in the performance of her official duties. The allowance provided for herein shall be paid from the general funds of the counties composing the circuit on a pro rata basis calculated upon the assessed value of taxable property in the counties of the circuit for the previous fiscal year, as shown by the records of the tax assessor's office, in such manner that each county shall pay such proportion of said expense allowance as the assessed value of the property in the county bears to the total assessed value of all property within the counties composing the judicial circuit.

Section 2. This act is cumulative and does not supersede or repeal any other law, general, special or local.

Section 3. This act shall take effect on the first day of the first succeeding month after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

R. G. BOZEMAN, JR.,

Sworn to and subscribed before me May 31, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 360. Local Legislation No. 1.
- S. 361. Local Legislation No. 1.
- S. 362. Local Legislation No. 1.

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21st Day

1905

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Wilder:

S. 181. To provide for equalization of the maximum rate of interest permitted to be charged by State banks with the maximum rate permitted by State law to be charged by any competing state chartered or licensed lending institution or by Federal law to any competing national bank.

Also:

By Mr. Harris:

S. 109. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 181. Banking.

S. 109. Insurance.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 119. Relating to counties having populations of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

Also:

By Mr. Baker:

S. 170. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Also:

By Mr. Baker:

S. 171. To provide additional compensation for each of the official court reporters of the Ninth Judicial Circuit.

Also:

By Mr. Wilder:

S. 183. To alter, rearrange and extend the boundary lines and corporate limits of the Town of New Site, in Tallapoosa County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of New Site, in Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of New Site in Tallapoosa County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city all of the following territory, to-wit:

"All of section 1, T-23 N, R-22 E, and all of sections 13, 24, 25, and 36 of T-24 N, R-22 E, all of sections 3, 4, 5, and 6 of T-23 N, R-23 E, and all of sections 15, 16, 17, 18, 19, 20, 21, 22, 27, and 34 of T-24 N R-23 E, less and except the SW¼ of section 21, T-24, N, R-23 E, containing 12, 120 acres."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REGULAR SESSION
21st Day

1907

AFFIDAVIT OF PUBLICATION

I, J. Frank Clayton, Publisher, of the Alexander City Outlook, published bi-weekly at Alexander City, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 11, 1973, and ending with the issue dated May 2, 1973.

J. FRANK CLAYTON.

Subscribed and sworn before me this 3rd day of May, 1973.

VONCILLE M. DEAN,
Notary Public.

My Commission expires January 23, 1975.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 119. Local Legislation No. 1.
- S. 170. Judiciary.
- S. 171. Local Legislation No. 1.
- S. 183. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 441. To provide for a clerk and deputy clerk for the Board of Registrars of all counties with a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 441. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Shelby and McLain:

S. J. R. 71. COMMENDING L. TENNENT LEE, JR. ON HIS RETIREMENT.

McDOWELL LEE,
Secretary.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 71, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Littleton, Owen and Register:

S. J. R. 65. MOURNING THE DEATH OF FORMER SENATOR JAMES THOMAS McDOW.

Also:

By Mr. Register:

S. J. R. 66. COMMENDING THE TOMATO CROP IN TAYLOR, ALABAMA.

Also:

By Messrs. Bailes, Gilmore, Dominick, Cook, Hawkins, Baker, Branyon, Carr, Clark, Dozier, Edington, Fine, Foshee, Givhan, Harris, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Melton, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Vacca, Weaver, Wilder and Wilson:

S. J. R. 67. MOURNING THE DEATH OF JAMES A. SIMPSON.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 65, on the Clerk's desk for one legislative day.

The resolution, S. J. R. 66, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 67, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

REGULAR SESSION
21st Day

1909

H. 870. To further amend Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), as amended, so as to further provide for the compensation of county superintendents of education in certain counties classified on a population basis.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cross, the House concurred in and adopted the Senate amendment to the bill, H. 870, said Senate amendment being as follows:

In the title delete the period at the end, and add the following:

; and to provide for retroactive effect.

Also after Section 1 add the following:

Section 2. The provisions of this act shall be retroactive to June 30, 1973.

and renumber the remaining sections.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Downing	Hughes	Reynolds
Adams	Drake	Jones (F)	Roberts
Agee	Easters	King	St. John
Barkett	Edwards	Lutz	Smith (K)
Barron	Fite	McBride	Smith (P)
Bassett	Flippo	McCluskey	Snell
Boles	Gafford	McCorquodale	Stubbs
Boutwell	Goodwin	McDonald	Timmons
Bowers	Grainger	McMillan	Waggoner
Carnes	Grey (D)	McNair	Waldrop
Carter	Hale	May	Wallace
Casey	Harris	Mims	Warren
Chesnut	Headley	Porter	Weeks
Cross	Hearn	Reid (R)	Wynot
Dill	Hill	Reed (T)	

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And the bill:

H. 870. To further amend Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), as amended, so as to further provide for the compensation of county superintendents of education in certain counties classified on a population basis; and to provide for retroactive effect.

As thus amended, was again read at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Cauthen
Adams	Bassett	Callahan	Chesnut
Adwell	Benton	Carnes	Collins
Agee	Boles	Carter	Connell
Barkett	Boutwell	Casey	Coshatt

Cottingham	Hale	McNair	St. John
Cross	Harris	Mathews	Slate
Crowe	Headley	May	Smith (K)
Dill	Hearn	Meeks	Smith (P)
Downing	Hill	Mims	Snell
Drake	Hughes	Nettles	Stubbs
Easters	Jackson	O'Daniel	Therrell
Edwards	Jones (F)	Owens	Timmons
Erdreich	King	Parker	Turner
Falkenburg	Kinsey	Porter	Waggoner
Fite	Lutz	Reed (T)	Waldrop
Flippo	McBride	Reid (R)	Wallace
Gafford	McCluskey	Reynolds	Warren
Goodwin	McCorquodale	Roberts	Weeks
Grainger	McDonald	Robertson	Wynot
Gray (F)	McMillan		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 582. To amend the title and Section 1 of Act No. 2374, H. 158, Regular Session 1971 (Acts 1971, p. 3803-3804), which Act provides further for the compensation and allowances of the superintendent of education in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite, the House concurred in and adopted the Senate amendment to the bill, H. 582, said Senate amendment being as follows:

In the title delete the period at the end, and add the following:

; and to provide for retroactive effect.

Also after Section 1 add the following:

Section 2. The provisions of this act shall be retroactive to June 30, 1973.

and renumber the remaining sections.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Carnes	Crowe	Gafford
Adams	Carter	Dill	Goodwin
Adwell	Casey	Doss	Grainger
Agee	Cauthen	Downing	Gray (F)
Bank	Chesnut	Drake	Grey (D)
Barkett	Collins	Easters	Hale
Barron	Connell	Edwards	Harris
Bassett	Coshatt	Erdreich	Headley
Boutwell	Cottingham	Fite	Hearn
Callahan	Cross	Flippo	Hill

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Hughes	McMillan	Porter	Snell
Jackson	Mathews	Reed (T)	Stubbs
Jones (F)	May	Reid (R)	Therrell
King	Meeks	Reynolds	Timmons
Kinsey	Merrill	Roberts	Turner
Lutz	Mims	Robertson	Waggoner
McBride	Nettles	St. John	Waldrop
McCluskey	O'Daniel	Slate	Wallace
McCorquodale	Owens	Smith (K)	Weeks
McDonald	Parker	Smith (P)	Wynot

—80

And the bill:

H. 582. To amend the title and Section 1 of Act No. 2374, H. 158, Regular Session, 1971 (Acts 1971, p. 3803-3804), which Act provides further for the compensation and allowances of the superintendent of education in such counties; and to provide for retroactive effect.

As thus amended, was again read at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Porter
Adams	Dill	Jackson	Reed (T)
Adwell	Doss	Jones (F)	Reid (R)
Agee	Downing	King	Reynolds
Bank	Drake	Kinsey	Roberts
Barkett	Easters	Lutz	Robertson
Barron	Edwards	McBride	St. John
Bassett	Ellis	McCluskey	Slate
Boles	Erdreich	McCorquodale	Smith (K)
Boutwell	Falkenburg	McDonald	Smith (P)
Bowers	Fite	McMillan	Snell
Callahan	Flippo	McNair	Stubbs
Carnes	Gafford	Mathews	Therrell
Carter	Goodwin	May	Timmons
Casey	Grainger	Meeks	Turner
Chesnut	Gray (F)	Merrill	Waggoner
Collins	Grey (D)	Mims	Waldrop
Connell	Hale	Naramore	Wallace
Coshatt	Harris	Nettles	Warren
Cottingham	Headley	O'Daniel	Weeks
Cross	Hearn	Owens	Wynot
Crowe	Hill	Parker	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 460. To further amend Section 5 of Act No. 82, H. 250, Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as last amended, an act relating to the County Superintendent of Education of Marion County so as to provide further for the salary of such superintendent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite, the House concurred in and adopted the Senate amendment to the bill, H. 460, said Senate amendment being as follows:

In the title delete the period at the end, and add the following:

; and to provide for retroactive effect.

Also after Section 1 add the following:

Section 2. The provisions of this act shall be retroactive to June 30, 1973.

and renumber the remaining sections.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Parker
Adams	Dill	Jackson	Porter
Adwell	Doss	Jones (F)	Reed (T)
Agee	Downing	King	Reid (R)
Bank	Drake	Kinsey	Reynolds
Barkett	Easters	Lutz	Roberts
Barron	Edwards	McBride	Robertson
Bassett	Ellis	McCluskey	St. John
Boles	Erdreich	McCorquodale	Slate
Boutwell	Falkenburg	McDonald	Smith (K)
Bowers	Fite	McMillan	Smith (P)
Callahan	Flippo	McNair	Snell
Carnes	Gafford	Mathews	Stubbs
Carter	Goodwin	May	Therrell
Casey	Grainger	Meeks	Timmons
Chesnut	Gray (F)	Merrill	Turner
Collins	Grey (D)	Mims	Waggoner
Connell	Hale	Naramore	Waldrop
Coshatt	Harris	Nettles	Wallace
Cottingham	Headley	O'Daniel	Weeks
Cross	Hearn	Owens	Wynot
Crowe			

—85

And the bill:

H. 460. To further amend Section 5 of Act No. 82, H. 250 Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as last amended, an act relating to the County Superintendent of Education of Marion County so as to provide further for the salary of such superintendent; and to provide for retroactive effect.

As thus amended, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carter	Cottingham
Adams	Boles	Casey	Cross
Agee	Boutwell	Chesnut	Crowe
Bank	Bowers	Collins	Culver
Barkett	Callahan	Connell	Dill
Barron	Carnes	Coshatt	Doss

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Downing	Headley	Mathews	Robertson
Drake	Hearn	May	St. John
Easters	Hill	Meeks	Siate
Edwards	Hughes	Merrill	Smith (K)
Ellis	Jackson	Mims	Smith (P)
Erdreich	Jones (F)	Naramore	Snell
Falkenburg	King	Nettles	Stubbs
Fite	Kinsey	O'Daniel	Timmons
Flippo	Lutz	Owens	Turner
Gafford	McBride	Porter	Waggoner
Goodwin	McCluskey	Reed (T)	Waldrop
Grainger	McDonald	Reid (R)	Wallace
Gray (F)	McMillan	Reynolds	Weeks
Grey (D)	McNair	Roberts	Wynot
Harris			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 768. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, (Acts of 1971, p. 689) as amended, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this act a State Board of Barber Examiners, and defining violation of this act and prescribing penalties therefor" so as to delete Limestone County from the list of counties to which this act does not apply.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carter, the House concurred in and adopted the Senate amendment to the bill, H. 768, said Senate amendment being as follows:

Amend Section 1 by deleting therefrom where the same appears therein the following word: "Morgan".

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Collins	Falkenburg	Kinsey
Adams	Connell	Fite	Lutz
Adwell	Coshatt	Flippo	McBride
Agee	Cottingham	Gafford	McCluskey
Barkett	Cross	Goodwin	McCorquodale
Barron	Crowe	Grainger	McDonald
Bassett	Culver	Gray (F)	McMillan
Boles	Dill	Grey (D)	McNair
Boutwell	Doss	Harris	Mathews
Bowers	Downing	Headley	May
Callahan	Drake	Hearn	Meeks
Carnes	Easters	Hughes	Merrill
Carter	Edwards	Jackson	Mims
Casey	Ellis	Jones (F)	Naramore
Chesnut	Erdreich	King	Nettles

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O'Daniel	Roberts	Snell	Waggoner
Owens	Robertson	Stokes	Waldrop
Porter	St. John	Stubbs	Wallace
Reed (T)	Slate	Therrell	Weeks
Reid (R)	Smith (K)	Timmons	Wynot
Reynolds	Smith (P)	Turner	

—83

And the bill, H. 768, as thus amended, was again read at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reed (T)
Adams	Dill	Jones (F)	Reid (R)
Adwell	Downing	King	Reynolds
Agee	Drake	Kinsey	Roberts
Barkett	Easters	Lutz	Robertson
Barron	Edwards	McBride	St. John
Bassett	Ellis	McCluskey	Slate
Boles	Erdreich	McCorquodale	Smith (K)
Boutwell	Falkenburg	McDonald	Smith (P)
Bowers	Fite	McMillan	Snell
Callahan	Flippo	McNair	Stubbs
Carnes	Gafford	Mathews	Therrell
Carter	Goodwin	May	Timmons
Casey	Grainger	Meeks	Turner
Chesnut	Gray (F)	Merrill	Waggoner
Collins	Grey (D)	Naramore	Waldrop
Connell	Harris	Nettles	Wallace
Coshatt	Headley	O'Daniel	Weeks
Cottingham	Hearn	Owens	Wood
Cross	Hill	Porter	Wynot
Crowe	Hughes		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House non-concurred in the Senate substitute to the bill, H. 524, said Senate substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits

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any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

Be It Enacted by the Legislature of Alabama:

Section 1. Article I, Section 1.07, Article III, Sections 3.01, 3.02, 3.05, 3.06, 3.09, 3.18 and 3.20, Article V, Sections 5.01, 5.05 and 5.06 and Article VI, Section 6.01 of the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, is amended further to read as follows:

Article I. Adoption of Council-Manager Form of Government. Election and Term of Council.

"1.07 Election of first council: term of office.—Within five days of the date of his receipt of the certificate of adoption the probate judge with whom the certificate was filed shall call an election to be held on the first Tuesday in September after the first full month of July following the adoption of this Act. The expenses of this election shall be paid by the city. Before calling such election the probate judge shall cause the city to be divided into five wards containing as nearly equal number of people as possible. Candidates shall qualify in the manner prescribed in section 3.02 hereof and shall have the qualifications and eligibility set forth in sections 3.03 and 3.04 hereof. Each candidate shall announce the ward from which he desires to become a candidate. Each voter in the election may cast one vote for a candidate from each of the wards. Any candidate receiving a majority of the total votes cast for the candidates from the ward from which he is a candidate shall be elected as the councilman from his ward. In the event that any or all of the wards shall not have a candidate who received such a majority in the said election then as to such ward or wards there shall be a run-off election to be held two weeks after the first election. In the run-off election only those two candidates from each ward who receive the largest vote in the first election shall be eligible in the run-off election, and only these two shall have their names placed on the ballot for the run-off election. Any candidate receiving a majority of the total votes cast in the run-off election for the candidates from the ward from which he is a candidate shall be elected as the councilman from his ward. The councilmen so elected shall take office on the first Monday in October following the election. Each councilman shall hold office for four years (except those elected in 1973) but shall serve until his successor shall have qualified. A councilman may succeed himself in office.

"Article III. The Council.

"3.01 Number, election, term.—The council shall have five to seven members with one elected from each ward but each shall be elected by all of the voters of the city. The election for the year 1973 shall be held on the 4th day of September, 1973. For the election to be held on the day of , 1973, the Mayor shall give 45 days notice of said election. Any election of councilmen held after the year 1973, shall be held and conducted, at the same times and in the same manner as provided by law in respect to municipal elections in cities of this state which have a population of its size according to the latest federal decennial census for cities not organized under a commission form of government. All municipal officers of the city shall have the same duties and responsibilities as they have with respect to said

municipal elections. Said officer or officers shall issue any orders necessary to cause all election requirements to be met. Each councilman, except those elected in 1973, shall hold office for four years, but shall serve until his successor shall have qualified. Each councilman elected in 1973 shall serve until his successor to be elected in 1976, shall assume the duties of his office. A councilman may succeed himself in office. Each councilman shall reside within the limits of his ward during the term of his office and if any councilman shall remove from within the limits of his ward his office shall become vacant. Notwithstanding any provision of any other statute or statutes there shall be no requirement, in the 1973 election, or any future election of the council, that an elector must vote only in the ward of his residence. The election of 1973 shall be held in the same manner as is prescribed for the election of the first council under Section 1.07 of this Act.

"3.02. Statement of candidacy. For the election to be held in 1973 the following provisions of this section shall be applicable notwithstanding any provisions of any other law in respect to municipal elections. Any person desiring to become a candidate at any election for the office of councilman may become such candidate by filing in the office of the judge of probate of the county in which such city is situated, a statement in writing of such candidacy, accompanied by an affidavit taken and certified by such judge of probate or by a notary public that such person is duly qualified to hold the office for which he desires to be a candidate. Such statement shall be filed at least thirty days before the day set for such election and shall be in substantially the following form:

STATE OF ALABAMA
COUNTY OF

I, the undersigned, being first duly sworn, depose and say that I am a citizen of the City of _____, that I desire to become a candidate from the _____ ward for the office of councilman in said City at the election for said office to be held on the _____ day of _____, 19 ____; and I am duly qualified to hold said office if elected thereto and I hereby request that my name be printed upon the official ballot at said election.

Signature of candidate

Typed name of candidate

Subscribed and sworn to before me by said _____ on this _____ day of _____, 19 ____.

Style of Officer

Filed in my office on this _____ day of _____, 19 ____.

Judge of Probate

Said statement shall be accompanied by a petition signed by not less than, nor more than ten electors, who shall be designated as said candidate's sponsors. sponsors may but need not reside within the ward in which the candidate resides. No elector shall sign more than one such petition, and should an elector do so, he shall be guilty of a misdemeanor. With each signature shall be stated the place of address of each sponsor. Nominating petitions shall be in substantially the following form:

"We, the undersigned ten electors of the City of _____, hereby nominate and sponsor _____, whose residence is _____, as a candidate for the office of councilman from the _____ ward in the election

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to be held on the _____ day of _____, 19__ : and we individually certify that our names have appeared on the rolls of registered voters of this City within the last year, that we are qualified to vote for a candidate for the council and that we have not signed any other nominating petition for that office. We further state that we know said _____ to possess the qualifications necessary for said office, and to be in our judgment a fit and proper person to hold said office. Witness our hands on this the _____ day of _____, 19__.

For all elections after 1973 candidates shall file statements of candidacy at the same times and in the same manner as provided by law in respect to municipal elections in cities of this state which have a population of its size according to the latest federal decennial census for cities not organized under a commission form of government.

“3.05. Compensation.—Each councilman shall receive as compensation for his services as such the sum of two hundred fifty dollars per month or each partial month that he serves as councilman.

“3.06. Presiding officer: mayor.—The council shall elect an officer of the City who shall have the title of mayor. He shall preside at meetings of the council, and shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The council shall also elect an assistant mayor who shall act as mayor during the absence or disability of the mayor. The mayor and assistant mayor when so elected shall hold their respective offices until the next council takes office; provided that if the mayor or assistant mayor or both shall cease to be a member of the council his or their offices as such mayor or assistant mayor shall become vacant. If a vacancy shall occur in the office of mayor, the council shall elect a successor for the completion of the unexpired term. Both the mayor and the assistant mayor shall be elected from among the councilmen. The mayor shall receive as compensation for his services, in addition to the amount he receives as councilman, the sum of two hundred fifty dollars per month or each partial month that he serves as mayor.

“3.09. Removal of city manager.—The council shall appoint the city manager for an indefinite term, but the council may remove him at any time by a majority vote of the whole qualified membership of the council.

“3.18. Granting of franchises.—No ordinance, granting to any person, firm or corporation any franchise, lease or right to use the streets, public highways, thoroughfares, or public property of the City shall take effect and be enforced until thirty days after final enactment of same by the council and publication of said ordinance as provided by law, which publication shall be made at the expense of the person, firm or corporation applying for said grant.

“3.20. Examination of books and publication of accounts.—The council shall each month make available in the office of the city manager a detailed statement of all receipts and expenses of the City, and a summary of its proceedings during the preceding month. At the end of each year, the council shall cause a full and complete examination of all the books and accounts of the City to be made by a qualified public accountant, and shall cause the result of such examination to be published in pamphlet form, copies of which shall be placed in the office of the city manager, the office of the city clerk,

and in the public libraries, to be open for inspection by all persons. Such examination shall not be made more than three years in succession by the same accountant. The same accountant, for the purposes of this section, shall include the firm or such accountant and all members of the said firm.

“Article V. Budget.

“5.01. Fiscal year.—The fiscal year of the city government shall begin on the first day of each October and shall end on the last day of each September. Such fiscal year shall also constitute the budget and accounting year. As used in this Act, the term ‘budget year’ shall mean the fiscal year for which any particular budget is adopted and in which it is administered.

“5.05. Public hearing on budget proposal.—At the time and place specified in the advertisement or at any time at which the public hearing may from time to time be adjourned, the council shall hold a public hearing on the budget proposal, at which time, all interested persons shall be given an opportunity to be heard, for or against the estimates or any item thereof.

“5.06. Further consideration of budget proposal.—After the conclusion of such public hearing the council may insert new items or may increase or decrease the items of the budget proposal, except items in proposed expenditures, fixed by law or prescribed by sub-sections (a), (b), (c), (d), (e), (f), (g), (h) and (i) or section 5.25. The council may not vary the titles, descriptions or conditions of administration specified in the budget proposal. Before inserting any new item or increasing or decreasing any item of appropriation, it must cause to be published, in the manner provided in section 5.04 of this Act, a notice setting forth the nature and amount of the proposed increases or decreases and fixing a place and date, not less than five days after publication, at which the council will hold a public hearing thereon. The public hearing shall be held at the time and place specified in the notice or at any time and place at which such public hearing shall from time to time be adjourned.

Article VI. Department of Finance.

“6.01. Director of Finance.—There shall be a department of finance, the head of which shall be the director of finance, who shall, with the advice and consent of the council, be appointed by the city manager, subject to the provisions of any merit or civil service system applicable to such city.”

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Carter	Drake	Hale
Adams	Casey	Easters	Harris
Adwell	Chesnut	Edwards	Headley
Agee	Collins	Ellis	Hearn
Barkett	Connell	Falkenburg	Hughes
Barron	Coshatt	Fite	Jackson
Bassett	Cross	Gafford	Jones (F)
Boles	Culver	Goodwin	King
Boutwell	Dill	Grainger	Kinsey
Callahan	Doss	Gray (F)	Lutz
Carnes	Downing	Grey (D)	McBride

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McCluskey	Naramore	Roberts	Taylor
McCorquodale	Nettles	Robertson	Therrell
McDonald	O'Daniel	St. John	Timmons
McNair	Owens	Slate	Waggoner
Mathews	Parker	Smith (K)	Waldrop
May	Porter	Smith (P)	Wallace
Meeks	Pruitt	Snell	Weeks
Merrill	Reed (T)	Stubbs	Wynot
Mims	Reynolds		

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On motion of Mr. Merrill, a Committee on Conference was granted on the disagreement of the two Houses on the Senate substitute to the bill, H. 524.

The Speaker of the House named as the Committee on Conference on the part of the House Messrs. Merrill, Burgess and Stewart.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 917. Relating to any county having a population of not less than 15,400 nor more than 15,625, for fixing the salary of the county superintendent of education.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Chesnut, the House concurred in and adopted the Senate amendment to the bill, H. 917, said Senate amendment being as follows:

Amend H. 917 by changing the period at the end of Section 1 to a semi-colon and by adding thereto the following:

“provided, however, that the county superintendent of education shall, at all times, earn at least \$3,000.00 annually more than the highest paid principal in the school system and any increase in the salary of any principal which brings that principal's salary within \$30,000.00 of the superintendent of education shall automatically cause an increase in the superintendent's salary so that the superintendent's salary will remain at least \$3,000 higher than the highest paid principal.”

Also, amend Section 4 of said H. 917 to read as follows:

“Section 4. This Act shall be effective retroactively to June 30, 1973.”

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Barkett	Callahan	Chesnut
Adams	Barron	Carnes	Collins
Adwell	Bassett	Carter	Connell
Agee	Boles	Casey	Coshatt
Bank	Boutwell	Cauthen	Cottingham

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Crowe	Hale	May	Slate
Dill	Harris	Meeks	Smith (K)
Downing	Hearn	Merrill	Smith (P)
Drake	Hughes	Mims	Snell
Easters	Jackson	Naramore	Taylor
Edwards	Jones (F)	Nettles	Therrell
Ellis	King	O'Daniel	Timmons
Erdreich	Kinsey	Parker	Turner
Falkenburg	Lutz	Porter	Waggoner
Fite	McBride	Pruitt	Waldrop
Gafford	McCluskey	Reed (T)	Wallace
Goodwin	McDonald	Reynolds	Warren
Grainger	McMillan	Roberts	Weeks
Gray (F)	McNair	St. John	Wynot
Gray (D)			

—77

And the bill, H. 917, as thus amended, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Parker
Adams	Crowe	Jackson	Pruitt
Adwell	Dill	Jones (F)	Reed (T)
Agee	Doss	King	Reynolds
Bank	Downing	Kinsey	Roberts
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Boles	Ellis	McCorquodale	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Callahan	Falkenburg	McMillan	Taylor
Carnes	Fite	McNair	Therrell
Carter	Gafford	May	Timmons
Casey	Goodwin	Meeks	Turner
Cauthen	Grainger	Merrill	Waggoner
Chesnut	Gray (F)	Mims	Waldrop
Collins	Gray (D)	Naramore	Wallace
Connell	Hale	Nettles	Warren
Coshatt	Harris	O'Daniel	Weeks
Cottingham	Hearn	Owens	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 556. Relating to counties having a population of not less than 10,900 nor more than 11,500, according to the most recent federal decennial census; to provide further for the compensation and expenses of the county superintendent of education.

McDOWELL LEE,
Secretary.

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SENATE MESSAGE

On motion of Mr. Casey, the House concurred in and adopted the Senate amendment to the bill, H. 556, said Senate amendment being as follows:

Strike Section 4 of said bill and substitute in lieu thereof the following.

"Section 4. This Act, upon its passage and approval of the Governor shall become effective on and after June 1, 1973."

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Reed (T)
Adams	Crowe	Kinsey	Reynolds
Adwell	Dill	Lutz	Roberts
Agee	Downing	McBride	St. John
Bank	Drake	McCluskey	Slate
Barkett	Easters	McCorquodale	Smith (K)
Barron	Edwards	McDonald	Smith (P)
Bassett	Ellis	McMillan	Snell
Boles	Falkenburg	McNair	Taylor
Boutwell	Fite	Mathews	Therrell
Callahan	Grainger	May	Timmons
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Hearn	O'Daniel	Warren
Connell	Hughes	Owens	Weeks
Coshatt	Jackson	Parker	Wynot
Cottingham	Jones (F)	Porter	

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And the bill, H. 556, as thus amended, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reynolds
Adams	Downing	Kinsey	Roberts
Adwell	Drake	Lutz	Robertson
Barkett	Easters	McBride	St. John
Barron	Edwards	McCluskey	Slate
Bassett	Ellis	McCorquodale	Smith (K)
Boles	Falkenburg	McDonald	Smith (P)
Boutwell	Fite	McMillan	Snell
Callahan	Gafford	McNair	Taylor
Carnes	Goodwin	May	Therrell
Carter	Grainger	Meeks	Timmons
Casey	Gray (F)	Merrill	Turner
Chesnut	Grey (D)	Mims	Waggoner
Collins	Hale	Naramore	Waldrop
Connell	Harris	Nettles	Wallace
Coshatt	Hearn	O'Daniel	Warren
Cottingham	Hughes	Owens	Weeks
Cross	Jackson	Porter	Wynot
Crowe	Jones (F)	Reed (T)	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 147. DESIGNATING MACON COUNTY ROAD AS GEORGE WASHINGTON CARVER DRIVE.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 557. Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Also:

H. 395. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants, according to the most recent federal decennial census; to provide further for the compensation of jurors in such counties.

Also:

H. 396. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the board of registrars in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Also:

H. 397. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the boards of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Also:

H. 398. To authorize the payment of expenses to members of the county board of education in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent or any subsequent federal decennial census, and to authorize the operation of the Act to be retroactive to August 10, 1965.

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Also:

H. 408. Relating to all counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Also:

H. 538. Relating to counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 541. To amend the title and Section 2 of Act No. 20, H. 10, Second Special Session 1971: (Acts 1971, p. 4147), which title and section provide for the payment of \$15 per day for each day served to the jury commission of counties having a population of not less than 10,660 nor more than 10,900, so as to provide for an increase in compensation to \$20 per day served.

Also:

H. 703. To amend Section 1 of Act No. 349, H. 869, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 706. To amend Section 1 of Act No. 348, H. 868, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 754. Relating to Perry County, to provide that the Sheriff shall be entitled to the allowances payable by the State for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 655. To amend Section 8 of Act No. 261, H. 571, Regular Session 1947, (Local Acts 947, p. 187), as amended, which act provides for the maximum compensation of the county engineer of Sumter County.

Also:

H. 656. Relating to the Sumter County Commission, providing for the payment of additional expense allowances of members of the county commission or like governing body of Sumter County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 708. Applying to DeKalb County, authorizing the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Chesnut, the House concurred in and adopted the Senate amendment to the bill, H. 708, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Applying to DeKalb County, authorizing the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. When used in this Act:

a. The phrase "routine maintenance" shall mean and include scraping, blading, ditching, spot cherting repair damaged bridges, planting grass on right of way, install or replace tile for drainage.

b. The phrase "betterment projects" shall mean and include new paving, resealing, grade-drain and temporary surface, striping and new bridge construction.

Section 2. The authority and responsibility of the designation and setting up of betterment projects for roads and bridges in DeKalb County is hereby vested in the County Commission or the governing body of DeKalb County. The authority and responsibility for routine maintenance shall remain with the State Highway Director by and through the district engineer for DeKalb County. No money shall be spent for betterment projects for roads and bridges in DeKalb County except as authorized by the DeKalb County Commission as provided herein by resolution duly adopted and spread upon the minutes of meeting of the governing body of DeKalb Coun-

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ty. Provided, however, that no betterment project shall be done and no money spent for any betterment project on any road on which a member of the County Commission or governing body lives or owns land.

Section 3. On or before the 1st day of September of each year the State Highway Director shall notify the governing body of DeKalb County in writing as to the estimated amount of money to be available out of the monies available from DeKalb County's distributive share of the state gasoline revenue for betterment projects for the next ensuing fiscal year. On or before the 1st day of October of each year the governing body of DeKalb County shall, by resolution duly adopted and spread upon the minutes of the meeting of the DeKalb County governing body designate by priority the betterment projects to be done within the next fiscal year out of the monies available from DeKalb County's distributive share of the State gasoline tax and from any other sources or funds in the county road and bridge fund or other fund of the county designated for road construction. Upon the adoption of this resolution, said resolution shall be forwarded to the State Highway Director and the district engineer for DeKalb County and the district engineer shall prepare a map showing each betterment project according to the priority established by the resolution which map shall be returned to the county governing body and shall be posted in a public place in the office of the county governing body or some other public place in the DeKalb County Courthouse. The State Highway Department shall construct such betterment projects as designated according to the provisions hereof unless said program is changed or amended by additional resolution duly adopted and spread on the minutes of the meeting of the DeKalb County governing body.

Section 4. The preceding section shall apply only to the funds available from DeKalb County's distributive share of the State gasoline tax and the funds available out of the DeKalb County road and bridge fund and other local sources. Any additional funds available for the construction of roads and bridges in DeKalb County which are made available by way of grant from any municipality within DeKalb County shall be spent for projects designated by the governing body of the municipality from which the funds are allocated and any additional funds by way of grant from the State Highway Department shall be spent for such projects as may be designated by the State Highway Director.

Section 5. In the event that the county governing body of DeKalb County should fail to adopt the resolution provided herein on or before the 1st day of October of each year then the county governing body shall be deemed to have forfeited the right to set up and designate the betterment projects in DeKalb County and all betterment projects for roads and bridges in DeKalb County for the next ensuing fiscal year shall be designated and set up by the State Highway Director.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Porter
Adwell	Dill	Hughes	Pruitt
Agee	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (F)	Reid (R)
Barron	Drake	Kinsey	Reynolds
Bassett	Easters	Lang	Roberts
Benton	Edwards	Lutz	Robertson
Boles	Ellis	McBride	St. John
Boutwell	Erdreich	McCluskey	Slate
Bowers	Falkenburg	McCorquodale	Smith (K)
Callahan	Fite	McDonald	Smith (P)
Carnes	Flippo	McMillan	Snell
Carter	Goodwin	McNair	Stubbs
Casey	Grainger	Mathews	Timmons
Cauthen	Gray (F)	May	Turner
Chesnut	Gray (D)	Meeks	Waggoner
Collins	Hale	Naramore	Waldrop
Connell	Harris	Nettles	Wallace
Coshatt	Headley	O'Daniel	Wood
Cottingham	Hearn	Owens	Wynot
Cross	Hill		

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And the bill, H. 708 as thus amended, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Porter
Agee	Downing	Jones (F)	Reed (T)
Bank	Drake	King	Reid (R)
Barkett	Easters	Kinsey	Reynolds
Barron	Edwards	Lang	Roberts
Bassett	Erdreich	McBride	St. John
Benton	Falkenburg	McCluskey	Slate
Boles	Fite	McCorquodale	Smith (K)
Boutwell	Flippo	McDonald	Smith (P)
Callahan	Gafford	McMillan	Snell
Carnes	Goodwin	McNair	Stewart
Carter	Grainger	Mathews	Stokes
Casey	Gray (F)	May	Stubbs
Chesnut	Gray (D)	Meeks	Timmons
Collins	Harris	Mims	Turner
Connell	Headley	Naramore	Waldrop
Coshatt	Hearn	Nettles	Wallace
Cottingham	Hill	O'Daniel	Warren
Cross	Hobbie	Owens	Williams
Crowe	Hughes	Parker	Wynot
Dill			

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REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

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H. 553. Relating to Blount County; to require the County Board of Education to provide all public school bus drivers with liability insurance in the amount required by the Alabama Motor Vehicle Safety Responsibility Act.

Also:

H. 657. To permit banks now or hereafter situated in Sumter County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

H. 665. To provide further for the compensation of deputy sheriffs and the jailer in counties having populations of not less than 42,000 nor more than 49,500.

Also:

H. 668. To alter, rearrange and extend the corporate limits of the Town of Detroit, Lamar County, Alabama.

Also:

H. 704. To provide that the Marengo County commission shall have authority to appoint additional deputy sheriffs and establish their salary, to make the provisions of this Act retroactive to August 1, 1969.

Also:

H. 705. Relating to Marengo County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 750. Relating to counties having a population of not less than 42,000 nor more than 49,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 766. To provide for the compensation of jurors in Limestone County.

Also:

H. 767. Relating to Limestone County to repeal Act No. 83, H. 327, 1959 Regular Session (Acts of 1959, p. 499), entitled "An Act To regulate, define and license the practice of barbering in Limestone County, Alabama; to provide rules and regulations concerning sanitation and cleanliness in and about barber shops in said county; to create a board of barber examiners for said county, and define its powers and duties; to fix the punishment for the violation of the provisions of this Act."

Also:

H. 769. Relating to Limestone County; to authorize the county governing body to print and sell a book about the history of Limestone County.

Also:

H. 770. Relating to Limestone County; providing that the governing body of Limestone County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 545. Relating to the office of the sheriff in all counties having populations of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Also:

H. 641. Relating to counties having a population of not less than 33,550, nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 671. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 723. Relating to Houston County; Providing for the payment of the Salary and expense allowance to the coroner of said county and to vali-

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date salary and expense allowance heretofore paid to the coroner by the governing body and to repeal conflicting laws.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 724. To repeal Act Number 1360, H. 2200, approved September 17, 1971, page 2302, Regular Session 1971, entitled "An Act to provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County."

Also:

H. 725. To provide for reimbursing the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court of Houston County, Alabama, for certain expenses incurred while out of the county in performance of the duties as such county official, reimburse each the cost of membership in his association including actual expenses incurred traveling to and from and attendance of such meetings.

Also:

H. 726. To amend Section 1 and Section 6 of Act Number 870 page 1630, H. 1521, of the regular session of the Legislature of Alabama 1971, entitled, "An Act to provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office."

Also:

H. 727. To provide for reimbursing the employees of the Probate Judge, County revenue commissioner, Clerk circuit court and the register of the circuit court of Houston County, Alabama, for expenses incurred in travel outside their respective county.

Also:

H. 797. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the sheriff of such counties, and providing for retroactive effect.

Also:

H. 798. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Also:

H. 846. Relating to counties having populations of not less than 33,550 nor more than 34,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Also:

H. 869. Relating to counties having populations of not less than 27,000 nor more than 27,900, authorizing an appropriation from county funds for certain purposes.

Also:

H. 871. To provide for the compensation of jurors in Lawrence County.

Also:

H. 875. To amend the title and Section 1 of Act No. 530, S. 562, Regular Session 1967 (Acts 1967, p. 1275), which Act provides further for compensation of the members of the county board of education in certain counties classified on a population basis; providing retroactive effect.

Also:

H. 882. To amend further Code of Alabama Title 7, Section 724, which relates to subscriptions for and filing of weekly newspapers by certain county officers, so as to exempt the clerk of the circuit court from the provisions of this section in counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

H. 883. Relating to the office of the sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the sheriff's office and their salary.

Also:

H. 884. To authorize the Marshall County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

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Also:

H. 885. Relating to The Douglas Water and Fire Protection Authority, a corporation; to confer additional authority upon said corporation which was organized in Marshall County under Act No. 107, S. B. 2, First Special Session 1965, as amended in respect to the establishment, construction, operation, improvement, and financing of gas distribution facilities and services.

Also:

H. 888. Relating to the powers of counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 919. To further amend Section 1 of Act No. 148, H. 166, Special Session 1969, (Acts 1969, p. 215), which section fixes the compensation of members of the jury commission in all counties having populations of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census; so as to provide for an increase in the compensation paid to the members of said jury commission in said counties; and providing retroactive effect therefor.

Also:

H. 920. To further amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Also:

H. 929. Relating to counties having a population of not less than 52,500 nor more than 53,000 inhabitants according to the most recent federal

decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Also:

H. 933. To amend Act No. 2141, Alabama Law, Regular Session, 1971, "To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000."

Also:

H. 934. To authorize the City of Dothan to appropriate funds for the relief of Floyd Clayton, subject to certain conditions.

Also:

H. 935. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

Also:

H. 936. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

Also:

H. 959. Relating to St. Clair County; to authorize the County Governing body to provide books, stationery, postage and other conveniences and supplies to the County Coroner; to make the provisions of this Act retroactive to September 8, 1961.

Also:

H. 763. To amend further Section 1 of Act No. 1170, S. 674, Regular Session 1969 (Acts 1969), p. 2179) as amended, which provides for the regulation of annual salaries of sheriffs of the several counties of the state, classified on a population basis, with compensation being on a salary basis, so as to provide that in all counties having a population of not less than 26,000 nor more than 26,800, the annual salary of the sheriff shall be not less than \$13,000 nor more than \$15,000.

Also:

H. 815. To provide additional exemptions from the Martion County sales and use tax law.

Also:

H. 696. To provide that the clerk of the court collecting solicitor's or district attorney's fees in the eleventh judicial circuit shall place such fees into a Judges' and District Attorney's Fund, and to authorize certain expenditures from such fund.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

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SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 937. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 178. To authorize the Cullman County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 179. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Cullman County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 181. To provide an additional fee for recording change of ownership of motor vehicles in Cullman County and for the use thereof.

Also:

H. 182. To provide additional revenue in Cullman County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Act No. 248, H. 87, Regular Session 1955, (Acts 1955, p. 586), as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Also:

H. 193. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Also:

H. 194. To amend further Act No. 154, H. 746, Regular Session 1965, which act creates the office of commissioner of licenses in certain counties classified on a population basis, so as to make further provisions respecting the compensation of such commissioners.

Also:

H. 222. To provide further for the election and qualifications of the members of the governing body of Cherokee County.

Also:

H. 227. Relating to Madison County; authorizing the clerk of the county court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Also:

H. 229. Relating to the Circuit Court of Madison County; to authorize the clerk of said court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Also:

H. 288. To increase the salary range for the stenographic secretary for the district attorney and circuit judge of the Thirty-Seventh Judicial Circuit.

Also:

H. 369. To authorize cities having a population of not less than 135,000 nor more than 185,000 inhabitants according to the most recent fed-

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eral decennial census, to make grants to certain corporations in order to foster economic development in such cities.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 690. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 219. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. O'Daniel, the House concurred in and adopted the Senate amendment to the bill, H. 219, said Senate amendment being as follows:

In the title delete the period at the end, and add the following:

; and to provide for retroactive effect.

Also after Section 1 add the following:

Section 2. The provisions of this act shall be retroactive to June 30, 1973.

and renumber the remaining sections.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Crowe	Lutz	Reid (R)
Adwell	Downing	McBride	Roberts
Agee	Edwards	McCluskey	St. John
Barkett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boutwell	Fite	McNair	Stokes
Bowers	Gafford	May	Timmons
Carnes	Goodwin	Mims	Turner
Carter	Grainger	Naramore	Waldrop
Casey	Grey (D)	Nettles	Warren
Chesnut	Hearn	O'Daniel	Weeks
Collins	Hughes	Owens	Williams
Connell	King	Porter	Wise
Cottingham	Kinsey		

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And the bill:

H. 219. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties; and to provide for retroactive effect.

As thus amended, was again read at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Doss	Kinsey	Reynolds
Barkett	Downing	Lutz	Roberts
Barron	Drake	McBride	St. John
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McDonald	Smith (P)
Boles	Erdreich	McMillan	Snell
Boutwell	Falkenburg	McNair	Stokes
Bowers	Fite	Mathews	Timmons
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Waggoner
Casey	Grainger	Mims	Waldrop
Cauthen	Grey (D)	Naramore	Wallace
Chesnut	Headley	Nettles	Warren
Collins	Hearn	O'Daniel	Weeks
Connell	Hughes	Porter	Williams

—68

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1937

BILLS ON THIRD READING

And the bill:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Was taken up.

H. 955 POSTPONED

On motion of Mr. Naramore, the bill, H. 955, was postponed to the twenty-second legislative day.

And the bill:

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (F)	Roberts
Bank	Downing	King	Robertson
Barkett	Drake	Kinsey	St. John
Barron	Easters	Lutz	Slate
Bassett	Edwards	McBride	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stokes
Bowers	Flipppo	McNair	Stubbs
Callahan	Gafford	Mathews	Taylor
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Mims	Turnham
Cauthen	Grey (D)	Naramore	Waggoner
Chesnut	Hale	Nettles	Waldrop
Collins	Harris	O'Daniel	Wallace
Coshatt	Headley	Owens	Warren
Cottingham	Hearn	Porter	Weeks
Cross	Hill	Reed (T)	Williams
Crowe	Hughes	Reid (R)	Wise

—84

And the bill:

H. 822. To amend Sections 1, 6, 7, and 9 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city and for the widows and dependents of such officers and employees, to provide for a custodian of such fund and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose."

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cross	Headley	Reed (T)
Adams	Crowe	Hearn	Reynolds
Adwell	Culver	Hill	Roberts
Agee	Dill	Hughes	Robertson
Bank	Doss	Jackson	St. John
Barkett	Downing	Jones (F)	Slate
Barron	Drake	King	Smith (K)
Bassett	Easters	Kinsey	Smith (P)
Benton	Edwards	McBride	Snell
Boles	Ellis	McCluskey	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	Mathews	Timmons
Callahan	Flippo	May	Waggoner
Carnes	Gafford	Meeks	Waldrop
Carter	Goodwin	Mims	Wallace
Casey	Grainger	Naramore	Warren
Cauthen	Gray (F)	Nettles	Weeks
Chesnut	Grey (D)	O'Daniel	Williams
Coshatt	Hale	Owens	Wise
Cottingham	Harris	Porter	

—83

And the bill:

H. 858. (With Amendment): To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section II, H. B. 858, by inserting the words "employed by or" after the word "longer" and before the word "serving".

And the amendment was adopted.

Yeas 75; Nays 5.

Yeas:

Messrs.:	Callahan	Culver	Gray (F)
Adams	Carnes	Doss	Grey (D)
Agee	Carter	Downing	Hale
Bank	Casey	Drake	Harris
Barkett	Cauthen	Easters	Headley
Barron	Chesnut	Ellis	Hearn
Bassett	Collins	Falkenburg	Hill
Benton	Coshatt	Fite	Hobbie
Boles	Cottingham	Flippo	Jackson
Boutwell	Cross	Goodwin	Jones (F)
Brassell	Crowe	Grainger	King

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Kinsey	Nettles	St. John	Turner
Lutz	O'Daniel	Slate	Waggoner
McCluskey	Owens	Smith (K)	Waldrop
Mathews	Porter	Smith (P)	Wallace
May	Reed (T)	Snell	Warren
Meeks	Reynolds	Stokes	Williams
Mims	Roberts	Stubbs	Wise
Naramore	Robertson	Timmons	Wynot
—75			

Nays:

Messrs.:	Erdreich	McMillan	McNair
Dill	Hughes		—5

And the bill, H. 858, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 6.

Yeas:

Messrs.:	Collins	Hearn	Reynolds
Adams	Cottingham	Hobbie	Roberts
Agee	Crowe	Jackson	St. John
Bank	Culver	Jones (F)	Slate
Barkett	Doss	King	Smith (K)
Barron	Downing	Lutz	Snell
Bassett	Drake	McCluskey	Stokes
Benton	Easters	McDonald	Stubbs
Boles	Ellis	May	Timmons
Boutwell	Falkenburg	Meeks	Turner
Brassell	Flippo	Naramore	Waggoner
Callahan	Goodwin	Nettles	Waldrop
Carnes	Grainger	O'Daniel	Wallace
Carter	Grey (D)	Owens	Williams
Casey	Hale	Parker	Wise
Cauthen	Harris	Porter	Wynot
Chesnut	Headley	Reed (T)	—66

Nays:

Messrs.:	Erdreich	Hughes	McNair
Dill	Gafford	McMillan	—6

And the bill:

H. 785. To amend Section 3.07 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Brassell
Agee	Barron	Boles	Callahan

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Carnes	Erdreich	Kinsey	Roberts
Carter	Falkenburg	Lutz	St. John
Casey	Fite	McBride	Slate
Cauthen	Flippo	McCluskey	Smith (K)
Chesnut	Gafford	McDonald	Smith (P)
Collins	Goodwin	McMillan	Snell
Connell	Grainger	McNair	Stokes
Cottingham	Grey (D)	Mathews	Taylor
Cross	Hale	May	Timmons
Crowe	Harris	Meeks	Turner
Culver	Headley	Naramore	Waggoner
Dill	Hearn	Nettles	Waldrop
Doss	Hill	O'Daniel	Wallace
Downing	Hobbie	Owens	Weeks
Drake	Hughes	Porter	Williams
Easters	Jackson	Reed (T)	Wise
Edwards	Jones (F)	Reynolds	Wynot
Ellis	King		

—82

And the bill:

H. 650. To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alteration and extension.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cross	Hearn	Reynolds
Adams	Crowe	Hill	Roberts
Adwell	Culver	Hobbie	St. John
Agee	Dill	Hughes	Slate
Bank	Doss	Jackson	Smith (K)
Barkett	Downing	Jones (F)	Smith (P)
Barron	Drake	King	Snell
Bassett	Easters	Kinsey	Stewart
Benton	Edwards	Lutz	Stokes
Boles	Ellis	McBride	Taylor
Boutwell	Erdreich	McMillan	Therrell
Brassell	Falkenburg	McNair	Timmons
Callahan	Fite	Mathews	Turner
Carnes	Flippo	May	Waggoner
Carter	Gafford	Meeks	Waldrop
Casey	Goodwin	Naramore	Wallace
Cauthen	Grainger	Nettles	Weeks
Chesnut	Grey (D)	O'Daniel	Williams
Collins	Hale	Owens	Wise
Connell	Harris	Porter	Wynot
Cottingham	Headley	Reed (T)	

—83

And the bill:

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on

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a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Messrs.:	Cottingham	Hobbie	Reed (T)
Adams	Cross	Hughes	Reynolds
Adwell	Crowe	Jackson	Roberts
Agee	Culver	Jones (F)	St. John
Bank	Dill	King	Slate
Barkett	Doss	Kinsey	Smith (K)
Barron	Downing	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Ellis	McCluskey	Stokes
Boles	Falkenburg	McCorquodale	Taylor
Boutwell	Fite	McDonald	Therrell
Brassell	Flippo	McMillan	Timmons
Callahan	Gafford	Mathews	Turner
Carnes	Grainger	May	Waggoner
Carter	Grey (D)	Meeks	Waldrop
Casey	Hale	Naramore	Wallace
Cauthen	Harris	Nettles	Weeks
Chesnut	Headley	O'Daniel	Williams
Collins	Hearn	Owens	Wise
Connell	Hill	Porter	Wynot

—79

Nay: Mr. Erdreich.

—1

And the bill:

H. 1083. (With Amendment): To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. B. 1083 by deleting the figure and words "Thirty Two Thousand Dollars (\$32,000.00)" and substituting in lieu thereof the words and figures "Twenty Eight Thousand One Hundred Dollars (\$28,100.00)";

also amend Section 1 of H. B. 1083 by deleting the words and figures "Thirty One Thousand Dollars (\$31,000.00)" and inserting in lieu thereof the words and figures: "Twenty Seven Thousand One Hundred Dollars (\$27,100.00)"

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AMEND H. B. 1083 by deleting the second paragraph of Section 3, and adding the following new section:

"Section 4. This Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Cross	Hobbie	Reynolds
Adams	Crowe	Hughes	Roberts
Adwell	Culver	Jackson	St. John
Agee	Dill	King	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Taylor
Boutwell	Fite	McNair	Therrell
Brassell	Gafford	Mathews	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Naramore	Waggoner
Carter	Grey (D)	Nettles	Waldrop
Casey	Hale	O'Daniel	Wallace
Cauthen	Harris	Owens	Weeks
Chesnut	Headley	Porter	Williams
Collins	Hearn	Reed (T)	Wise
Connell	Hill	Reid (R)	Wynot
Cottingham			

—80

And the bill, H. 1083, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Messrs.:	Crowe	Jackson	Robertson
Adams	Culver	King	St. John
Agee	Dill	Kinsey	Slate
Bank	Downing	Lang	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Barron	Easters	McBride	Snell
Bassett	Edwards	McCluskey	Stewart
Benton	Ellis	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Brassell	Flippo	Mathews	Therrell
Callahan	Gafford	May	Timmons
Carnes	Goodwin	Meeks	Turner
Carter	Grainger	Naramore	Waggoner
Casey	Grey (D)	Nettles	Waldrop
Cauthen	Harris	O'Daniel	Wallace
Chesnut	Headley	Owens	Weeks
Collins	Hearn	Porter	Williams
Connell	Hill	Reed (T)	Wise
Cottingham	Hobbie	Reynolds	Wynot
Cross	Hughes		

—81

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1943

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UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Adwell voting "Yea" on the bill, H. 858.

And the bill:

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Messrs.:	Crowe	Hobbie	Roberts
Adams	Culver	Hughes	Robertson
Adwell	Dill	Jackson	St. John
Agee	Doss	King	Slate
Bank	Downing	Kinsey	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Barron	Easters	McBride	Snell
Bassett	Edwards	McCluskey	Stewart
Benton	Ellis	McDonald	Stokes
Boles	Erdreich	McMillan	Stubbs
Boutwell	Falkenburg	McNair	Taylor
Brassell	Fite	Mathews	Therrell
Callahan	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Mims	Waggoner
Casey	Grainger	Naramore	Waldrop
Cauthen	Gray (F)	Nettles	Wallace
Chesnut	Gray (D)	O'Daniel	Warren
Collins	Hale	Owens	Weeks
Connell	Harris	Porter	Williams
Coshatt	Headley	Reed (T)	Wise
Cottingham	Hearn	Reid (R)	Wynot
Cross	Hill	Reynolds	

—90

And the bill:

H. 1081. (With Amendment): To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. B. 1081 by deleting the words and figure "Nineteen Thousand Five Hundred Dollars (\$19,500.00)" and inserting in lieu thereof the following words and figure:

"Nineteen Thousand Dollars (\$19,000.00)".

1944

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And the amendment was adopted.

Yeas 81; Nays 2.

Yeas:

Messrs.:	Crowe	Jackson	Reynolds
Adams	Culver	Jones (F)	Roberts
Agee	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Snell
Bassett	Easters	McBride	Stewart
Benton	Ellis	McDonald	Stokes
Boles	Erdreich	McMillan	Stubbs
Boutwell	Falkenburg	McNair	Therrell
Brassell	Fite	Mathews	Timmons
Callahan	Flippo	May	Turner
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Waldrop
Casey	Gray (F)	Nettles	Wallace
Cauthen	Gray (D)	O'Daniel	Warren
Chesnut	Harris	Owens	Weeks
Collins	Headley	Porter	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wynot
Cottingham	Hughes		—81

Nays: Messrs. Gafford and Meeks.

—2

And the bill, H. 1081, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Messrs.:	Cottingham	Hobbie	Reynolds
Adams	Culver	Hughes	Roberts
Agee	Dill	Jackson	St. John
Bank	Doss	Jones (F)	Slate
Barkett	Downing	King	Smith (K)
Barron	Drake	Kinsey	Smith (P)
Bassett	Easters	Lang	Snell
Benton	Edwards	Lutz	Stokes
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	McMillan	Therrell
Brassell	Falkenburg	McNair	Timmons
Burgess	Fite	Mathews	Turner
Callahan	Flippo	May	Waggoner
Carnes	Goodwin	Mims	Waldrop
Carter	Grainger	Naramore	Wallace
Casey	Gray (F)	Nettles	Warren
Cauthen	Gray (D)	Owens	Weeks
Chesnut	Hale	Porter	Williams
Collins	Harris	Reed (T)	Wise
Connell	Headley	Reid (R)	Wynot
Coshatt	Hearn		—81

And the bill:

H. 1049. (With Amendment): To fix the compensation or salaries of

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Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. G. 1049 by deleting the figure "\$24,000.00" and inserting the lieu of thereof the figure "\$21,300.00".

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hearn	Reed (T)
Adams	Cross	Hobbie	Reynolds
Adwell	Crowe	Hughes	Roberts
Agee	Culver	Jackson	St. John
Bank	Dill	Jones (F)	Slate
Barkett	Doss	King	Smith (K)
Barron	Downing	Kinsey	Smith (P)
Bassett	Drake	Lang	Snell
Benton	Easters	Lutz	Stewart
Boles	Edwards	McBride	Stokes
Boutwell	Ellis	McCluskey	Stubbs
Brassell	Erdreich	McDonald	Taylor
Burgess	Falkenburg	McMillan	Therrell
Callahan	Fite	McNair	Timmons
Carnes	Flippo	Mathews	Turner
Carter	Goodwin	May	Waggoner
Casey	Grainger	Meeks	Waldrop
Cauthen	Gray (F)	Naramore	Wallace
Chesnut	Grey (D)	Nettles	Weeks
Collins	Hale	O'Daniel	Williams
Connell	Harris	Owens	Wise
Coshatt	Headley	Porter	Wynot

—88

And the bill, H. 1049, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Hearn
Adams	Cauthen	Edwards	Hobbie
Adwell	Chesnut	Ellis	Hughes
Agee	Collins	Erdreich	Jackson
Barkett	Connell	Falkenburg	Jones (F)
Barron	Coshatt	Fite	King
Bassett	Cottingham	Flippo	Kinsey
Benton	Cross	Goodwin	Lang
Boutwell	Crowe	Grainger	Lutz
Brassell	Culver	Gray (F)	McBride
Burgess	Dill	Grey (D)	McCluskey
Callahan	Doss	Hale	McDonald
Carnes	Downing	Harris	McMillan
Carter	Drake	Headley	McNair

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Mathews	Reynolds	Stewart	Waggoner
May	Roberts	Stokes	Waldrop
Naramore	St. John	Stubbs	Wallace
Nettles	Slate	Taylor	Weeks
O'Daniel	Smith (K)	Therrell	Williams
Owens	Smith (P)	Timmons	Wise
Porter	Snell	Turner	Wynot
Reed (T)			

—85

And the bill:

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	St. John
Agee	Doss	King	Slate
Bank	Downing	Kinsey	Smith (K)
Barkett	Drake	Lang	Smith (P)
Barron	Easters	Lutz	Snell
Bassett	Edwards	McBride	Stewart
Benton	Ellis	McCluskey	Stokes
Boles	Erdreich	McDonald	Stubbs
Boutwell	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	Mathews	Timmons
Callahan	Gafford	May	Turner
Carnes	Goodwin	Meeks	Waggoner
Carter	Grainger	Naramore	Waldrop
Casey	Gray (F)	Nettles	Wallace
Cauthen	Grey (D)	O'Daniel	Weeks
Chesnut	Hale	Owens	Williams
Collins	Harris	Porter	Wise
Connell	Headley	Reed (T)	Wood
Coshatt	Hearn	Reid (R)	Wynot
Cottingham	Hobbie		

—90

And the bill:

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Brassell

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Burgess	Ellis	Lang	Slate
Callahan	Erdreich	Lutz	Smith (K)
Carnes	Falkenburg	McBride	Smith (P)
Carter	Fite	McCluskey	Snell
Casey	Flippo	McDonald	Stewart
Cauthen	Gafford	McMillan	Stokes
Chesnut	Goodwin	McNair	Stubbs
Collins	Grainger	May	Taylor
Connell	Gray (F)	Meeks	Therrell
Coshatt	Grey (D)	Naramore	Timmons
Cottingham	Hale	Nettles	Turner
Cross	Harris	O'Daniel	Waggoner
Crowe	Headley	Owens	Waldrop
Culver	Hearn	Porter	Wallace
Dill	Hobbie	Reed (T)	Weeks
Doss	Hughes	Reid (R)	Williams
Downing	Jackson	Reynolds	Wise
Drake	Jones (F)	Roberts	Wood
Easters	King	St. John	Wynot
Edwards	Kinsey		

—89

And the bill:

H. 787. (With Amendment): To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

AMEND Sections 1 and 2 of H. B. 787 by deleting the words and figures "Seventeen Thousand Five Hundred (\$17,500.00)" and inserting in lieu thereof the following words and figures "Sixteen Thousand Four Hundred (\$16,400.00)."

AMEND Section 5 of H. B. 787 by deleting Section 5 and inserting in lieu thereof the following:

"Section 5. This Act shall become effective October 1, 1973."

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Coshatt
Adams	Benton	Carter	Cottingham
Adwell	Boles	Casey	Cross
Agee	Boutwell	Cauthen	Culver
Bank	Brassell	Chesnut	Dill
Barkett	Burgess	Collins	Doss
Barron	Callahan	Connell	Downing

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Drake	Headley	Meeks	Stewart
Easters	Hearn	Naramore	Stokes
Edwards	Hobbie	Nettles	Stubbs
Ellis	Hughes	O'Daniel	Taylor
Erdreich	Jackson	Owens	Therrell
Falkenburg	Jones (F)	Porter	Timmons
Fite	King	Reed (T)	Turner
Flippo	Kinsey	Reid (R)	Waggoner
Gafford	Lutz	Reynolds	Waldrop
Goodwin	McBride	Roberts	Wallace
Grainger	McCluskey	St. John	Weeks
Gray (F)	McDonald	Slate	Williams
Grey (D)	McMillan	Smith (K)	Wise
Hale	McNair	Smith (P)	Wood
Harris	May	Snell	Wynot

—88

And the bill, H. 787, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Roberts
Adams	Culver	Hughes	St. John
Adwell	Dill	Jackson	Smith (K)
Agee	Doss	Jones (F)	Smith (P)
Bank	Downing	King	Snell
Barkett	Drake	Kinsey	Stewart
Barron	Easters	Lutz	Stokes
Bassett	Edwards	McBride	Stubbs
Benton	Ellis	McCluskey	Taylor
Boles	Erdreich	McDonald	Therrell
Boutwell	Falkenburg	McMillan	Timmons
Brassell	Fite	May	Turner
Burgess	Flippo	Meeks	Waggoner
Callahan	Gafford	Naramore	Waldrop
Carnes	Grainger	Nettles	Wallace
Carter	Gray (F)	O'Daniel	Weeks
Cauthen	Grey (D)	Owens	Williams
Chesnut	Hale	Porter	Wise
Collins	Harris	Reed (T)	Wood
Connell	Headley	Reid (R)	Wynot
Coshatt	Hearn	Reynolds	

—83

And the bill:

H. 145. (With Amendment): To provide for the assessment, amount and use of additional taxes as court costs in all cases docketed in the Circuit Court in the Tenth Judicial Circuit.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

AMEND Section 1 of H. B. 145 by deleting the following words "criminal case, or any other proceeding."

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AMEND Section 2 of H. B. 145 so that said Section 2 shall read as follows:

"Section 2. All such additional costs as provided herein shall be collected by the clerk or register in the same manner as other court costs are collected by said clerk or register and shall be paid into the county treasury and deposited and kept in a special fund to be known as the 'Court Administration Fund.' Such fund shall be expended by the governing body of the largest county in the Tenth Judicial Circuit on the recommendation of the Presiding Judge of said circuit to promote the administration of justice in said circuit."

AMEND Section 3 of H. B. 145 by adding at the end of said Section 3 the following words "and to purchase books for the Circuit Court Law Library."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Hearn	Reed (T)
Adams	Crowe	Hobbie	Reid (R)
Adwell	Culver	Hughes	Reynolds
Agee	Dill	Jackson	St. John
Bank	Doss	Jones (F)	Slate
Barkett	Downing	King	Smith (K)
Barron	Drake	Kinsey	Smith (P)
Bassett	Easters	Lang	Snell
Benton	Edwards	Lutz	Stewart
Boles	Ellis	McBride	Stokes
Brassell	Erdreich	McCluskey	Stubbs
Burgess	Falkenburg	McDonald	Taylor
Callahan	Fite	McMillan	Therrell
Carnes	Flippo	McNair	Timmons
Carter	Gafford	May	Turner
Casey	Goodwin	Meeks	Waggoner
Cauthen	Grainger	Mims	Waldrop
Chesnut	Gray (F)	Naramore	Wallace
Collins	Grey (D)	Nettles	Weeks
Connell	Hale	O'Daniel	Wood
Coshatt	Harris	Owens	Wynot
Cottingham	Headley	Porter	

—87

And the bill, H. 145, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cottingham	Ellis
Adams	Burgess	Cross	Erdreich
Adwell	Callahan	Crowe	Falkenburg
Agee	Carnes	Culver	Fite
Bank	Carter	Dill	Flippo
Barkett	Cauthen	Doss	Gafford
Barron	Chesnut	Downing	Goodwin
Bassett	Collins	Drake	Grainger
Benton	Connell	Easters	Gray (F)
Boles	Coshatt	Edwards	Grey (D)

Hale	McBride	Porter	Stubbs
Harris	McCluskey	Reed (T)	Taylor
Headley	McDonald	Reid (R)	Therrell
Hearn	McMillan	Reynolds	Timmons
Hobbie	McNair	St. John	Turner
Hughes	May	Slate	Waggoner
Jackson	Meeks	Smith (K)	Waldrop
Jones (F)	Mims	Smith (P)	Wallace
King	Naramore	Snell	Weeks
Kinsey	Nettles	Stewart	Wood
Lang	Owens	Stokes	Wynot
Lutz			

And the bill:

H. 836. (With Amendment): To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

AMEND H. B. 836, Section 1, by deleting the words and figures "Twenty-Three Thousand (\$23,000.00) and inserting in lieu thereof the following words and figures: "Twenty Thousand Four Hundred Dollars (\$20,400.00)."

AMEND Section 2 of H. B. 836 by deleting the words and figures "Twenty-One Thousand Two Hundred Fifty" and inserting in lieu thereof the following words and figures: "Eighteen Thousand Nine Hundred (\$18,900.00)."

AMEND Section 3 of H. B. 836 by deleting the words and figures "Nineteen Thousand Four Hundred (\$19,400.00) and inserting in lieu thereof the following words and figures: "Seventeen Thousand Two Hundred (\$17,200.00)."

AMEND Sections 4 and 5 of H. B. 836 by deleting the words and figures "Eighteen Thousand Five Hundred (\$18,500.00) and inserting in lieu thereof the following words and figures: "Sixteen Thousand Four Hundred (\$16,400.00)."

AMEND Section 6 of H. B. 836 by deleting the words and figures "Sixteen Thousand Seven Hundred Fifty (\$16,750.00) and inserting in lieu thereof the following words and figures: "Fourteen Thousand Nine Hundred (\$14,900.00)."

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AMEND Sections 7 and 8 of H. B. 836 by deleting the words and figures "Fifteen Thousand (\$15,000.00) and inserting in lieu thereof the following words and figures: "Thirteen Thousand Three Hundred (\$13,300.00)."

AMEND Sections 9 and 11 of H. B. 836 by deleting the words and figures Eighteen Thousand (\$18,000.00) and inserting in lieu thereof the following words and figures: "Sixteen Thousand (\$16,000.00)."

AMEND Section 10 of H. B. 836 by deleting the words and figures Thirteen Thousand Five Hundred (\$13,500.00) and inserting in lieu thereof the following words and figures: "Twelve Thousand (\$12,000.00)."

AMEND Section 14 of H. B. 836 by deleting Section 14 and inserting in lieu thereof the following:

"Section 14. This Act shall become effective October 1, 1973."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Reed (T)
Adams	Crowe	Hobbie	Reynolds
Adwell	Culver	Hughes	St. John
Agee	Dill	Jackson	Slate
Bank	Doss	Jones (F)	Smith (K)
Barkett	Downing	King	Smith (P)
Barron	Drake	Kinsey	Snell
Bassett	Easters	Lang	Stewart
Benton	Edwards	Lutz	Stokes
Boles	Ellis	McBride	Stubbs
Boutwell	Erdreich	McCluskey	Taylor
Brassell	Falkenburg	McDonald	Therrell
Burgess	Fite	McMillan	Timmons
Callahan	Flipppo	McNair	Turner
Carnes	Gafford	May	Turnham
Carter	Goodwin	Meeks	Waggoner
Cauthen	Grainger	Mims	Waldrop
Chesnut	Gray (F)	Naramore	Wallace
Collins	Hale	Nettles	Weeks
Connell	Harris	O'Daniel	Wood
Coshatt	Headley	Owens	Wynot
Cottingham	Hearn	Porter	

—87

And the bill, H. 836, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Benton	Casey	Culver
Adams	Boles	Cauthen	Dill
Adwell	Boutwell	Chesnut	Doss
Agee	Brassell	Collins	Downing
Bank	Burgess	Connell	Drake
Barkett	Callahan	Coshatt	Easters
Barron	Carnes	Cottingham	Edwards
Bassett	Carter	Cross	Ellis

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Erdreich	Jackson	Naramore	Stokes
Falkenburg	Jones (F)	Nettles	Stubbs
Fite	King	O'Daniel	Taylor
Flippo	Kinsey	Owens	Therrell
Gafford	Lang	Porter	Timmons
Goodwin	Lutz	Reed (T)	Turner
Grainger	McBride	Reynolds	Turnham
Gray (F)	McCluskey	Roberts	Waggoner
Hale	McDonald	St. John	Waldrop
Harris	McMillan	Slate	Wallace
Headley	McNair	Smith (K)	Weeks
Hearn	May	Smith (P)	Wise
Hobbie	Meeks	Snell	Wood
Hughes	Mims	Stewart	Wynot

—88

And the bill:

H. 784. (With Amendment): To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. B. 784 by deleting the figure "\$24,450.00" and inserting in lieu thereof the figure "\$21,945.00"

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reynolds
Adams	Culver	Hughes	Roberts
Adwell	Dill	Jackson	St. John
Bank	Doss	Jones (F)	Slate
Barkett	Downing	King	Smith (K)
Barron	Drake	Kinsey	Smith (P)
Bassett	Easters	Lang	Snell
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Brassell	Erdreich	McCluskey	Stubbs
Burgess	Falkenburg	McDonald	Taylor
Callahan	Fite	McMillan	Therrell
Carnes	Flippo	May	Timmons
Carter	Gafford	Meeks	Turner
Casey	Goodwin	Mims	Waggoner
Cauthen	Grainger	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Wood
Cottingham	Hearn	Porter	Wynot
Cross	Hill	Reed (T)	

—83

And the bill, H. 784, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reynolds
Adams	Crowe	Hughes	Roberts
Adwell	Culver	Jackson	St. John
Agee	Dill	Jones (F)	Slate
Bank	Doss	King	Smith (K)
Barkett	Downing	Kinsey	Smith (P)
Barron	Drake	Lang	Snell
Bassett	Easters	Lutz	Stewart
Boles	Edwards	McBride	Stokes
Boutwell	Ellis	McCluskey	Stubbs
Brassell	Erdreich	McDonald	Taylor
Burgess	Falkenburg	McMillan	Therrell
Callahan	Fite	May	Timmons
Carnes	Flippo	Meeks	Turner
Carter	Gafford	Mims	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Weeks
Collins	Harris	Owens	Wise
Connell	Headley	Porter	Wood
Coshatt	Hearn	Reed (T)	Wynot
Cottingham	Hill		

—86

And the bill:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Cross	Hobbie	Reynolds
Adams	Culver	Hughes	Roberts
Adwell	Dill	Jackson	St. John
Agee	Doss	Jones (F)	Slate
Bank	Downing	King	Smith (K)
Barkett	Drake	Lang	Smith (P)
Barron	Easters	Lutz	Snell
Bassett	Edwards	McBride	Stewart
Boles	Ellis	McCluskey	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Brassell	Falkenburg	McMillan	Taylor
Burgess	Fite	McNair	Therrell
Callahan	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Mims	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	Nettles	Waldrop
Chesnut	Hale	O'Daniel	Wallace
Collins	Harris	Owens	Weeks
Connell	Headley	Porter	Wood
Coshatt	Hearn	Reed (T)	Wynot
Cottingham	Hill		

—85

And the bill:

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Messrs.:	Cross	Hobbie	St. John
Adams	Crowe	Hughes	Slate
Adwell	Culver	Jackson	Smith (K)
Agee	Dill	Jones (F)	Smith (P)
Bank	Doss	King	Snell
Barkett	Downing	Lang	Stewart
Barron	Drake	Lutz	Stokes
Bassett	Easters	McBride	Stubbs
Benton	Edwards	McCluskey	Taylor
Boles	Ellis	McDonald	Therrell
Boutwell	Erdreich	McMillan	Timmons
Brassell	Falkenburg	McNair	Turner
Burgess	Fite	May	Turnham
Callahan	Flippo	Meeks	Waggoner
Carnes	Gafford	Mims	Waldrop
Carter	Goodwin	Naramore	Wallace
Casey	Grainger	Nettles	Warren
Cauthen	Gray (F)	O'Daniel	Weeks
Chesnut	Hale	Owens	Williams
Collins	Harris	Porter	Wise
Connell	Headley	Reed (T)	Wood
Coshatt	Hearn	Reynolds	Wynot
Cottingham	Hill	Roberts	

—90

And the bill:

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cottingham	Erdreich
Adams	Burgess	Cross	Falkenburg
Adwell	Callahan	Crowe	Fite
Agee	Carnes	Culver	Flippo
Bank	Carter	Dill	Gafford
Barkett	Casey	Doss	Goodwin
Barron	Cauthen	Downing	Grainger
Bassett	Chesnut	Drake	Gray (F)
Benton	Collins	Easters	Hale
Boles	Connell	Edwards	Harris
Boutwell	Coshatt	Ellis	Headley

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Hearn	McCluskey	Reed (T)	Therrell
Hill	McDonald	Reynolds	Timmons
Hobbie	McMillan	Roberts	Turnham
Hughes	McNair	St. John	Waggoner
Jackson	May	Slate	Waldrop
Jones (F)	Meeks	Smith (K)	Wallace
King	Mims	Smith (P)	Weeks
Kinsey	Naramore	Stewart	Williams
Lang	Nettles	Stokes	Wise
Lutz	Owens	Stubbs	Wood
McBride	Porter	Taylor	Wynot

—88

And the bill:

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Roberts
Adams	Culver	Hughes	St. John
Adwell	Dill	Jackson	Slate
Agee	Doss	Jones (F)	Smith (K)
Bank	Downing	King	Smith (P)
Barkett	Drake	Kinsey	Stewart
Barron	Easters	Lang	Stokes
Bassett	Edwards	Lutz	Stubbs
Benton	Ellis	McBride	Taylor
Boles	Erdreich	McCluskey	Therrell
Boutwell	Falkenburg	McDonald	Timmons
Brassell	Fite	McMillan	Turnham
Burgess	Flippo	May	Waggoner
Carnes	Gafford	Meeks	Waldrop
Carter	Goodwin	Mims	Wallace
Casey	Grainger	Naramore	Warren
Cauthen	Hale	Nettles	Weeks
Chesnut	Harris	Owens	Williams
Collins	Headley	Porter	Wise
Connell	Hearn	Reed (T)	Wood
Cottingham	Hill	Reynolds	Wynot

—84

And the bill:

H. 776. (With Amendment): To fix the compensation or salary of the Assistant to the Sheriff or any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

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Amend Section II of H. B. 776 by deleting the figure "\$18,500.00" and inserting in lieu thereof the figure "\$17,900.00."

FURTHER AMEND H. B. 776 by deleting Section V and inserting the following Section V:

"Section V: This act shall become effective October 1, 1973."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	St. John
Adams	Cross	Jackson	Slate
Adwell	Culver	Jones (F)	Smith (K)
Agee	Dill	King	Smith (P)
Bank	Doss	Kinsey	Snell
Barkett	Downing	Lutz	Stewart
Barron	Drake	McBride	Stokes
Bassett	Edwards	McCluskey	Stubbs
Benton	Ellis	McDonald	Taylor
Boles	Erdreich	McMillan	Therrell
Boutwell	Falkenburg	May	Timmons
Burgess	Fite	Meeks	Waggoner
Callahan	Gafford	Mims	Wallace
Carnes	Goodwin	Namamore	Warren
Carter	Grainger	Nettles	Weeks
Casey	Hale	Owens	Williams
Cauthen	Harris	Porter	Wise
Chesnut	Headley	Reed (T)	Wood
Collins	Hearn	Reynolds	Wynot
Connell	Hobbie	Roberts	

—80

And the bill, H. 776, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	St. John
Adams	Culver	Jones (F)	Smith (K)
Adwell	Dill	King	Smith (P)
Agee	Doss	Kinsey	Snell
Bank	Downing	Lutz	Stewart
Barkett	Drake	McBride	Stokes
Barron	Easters	McCluskey	Stubbs
Bassett	Edwards	McDonald	Taylor
Benton	Ellis	McMillan	Therrell
Boles	Erdreich	McNair	Timmons
Boutwell	Falkenburg	May	Turnham
Burgess	Fite	Meeks	Waggoner
Callahan	Gafford	Mims	Waldrop
Carnes	Goodwin	Namamore	Wallace
Carter	Grainger	Nettles	Warren
Casey	Hale	Owens	Weeks
Cauthen	Harris	Porter	Williams
Chesnut	Headley	Reed (T)	Wise
Collins	Hearn	Reynolds	Wood
Connell	Hobbie	Roberts	Wynot
Cottingham	Hughes		

—82

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1957

And the bill:

H. 689. In all counties having a population of 500,000 or more according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Messrs.:	Culver	Jones (F)	Slate
Adams	Dill	King	Smith (K)
Adwell	Doss	Kinsey	Smith (P)
Agee	Downing	Lutz	Snell
Bank	Drake	McBride	Stewart
Barkett	Easters	McCluskey	Stokes
Barron	Edwards	McDonald	Stubbs
Bassett	Ellis	McMillan	Taylor
Benton	Erdreich	McNair	Therrell
Boles	Falkenburg	May	Timmons
Boutwell	Fite	Meeks	Turnham
Burgess	Gafford	Mims	Waggoner
Callahan	Goodwin	Naramore	Waldrop
Carnes	Grainger	Nettles	Wallace
Carter	Hale	Owens	Warren
Casey	Harris	Porter	Weeks
Cauthen	Headley	Reed (T)	Williams
Chesnut	Hearn	Reynolds	Wise
Connell	Hobbie	Roberts	Wood
Cottingham	Hughes	St. John	Wynot
Cross	Jackson		

—81

And the bill:

H. 649. (With Amendment): To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 2 of H. B. 649 by deleting the figure "1971" and inserting in lieu thereof the figure "1973".

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Burgess

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Callahan	Erdreich	McDonald	Snell
Carnes	Falkenburg	McMillan	Stewart
Carter	Fite	McNair	Stokes
Casey	Goodwin	May	Stubbs
Cauthen	Grainger	Meeks	Taylor
Chesnut	Hale	Mims	Therrell
Connell	Harris	Naramore	Timmons
Cottingham	Headley	Nettles	Turnham
Cross	Hearn	Owens	Waggoner
Culver	Hobbie	Porter	Waldrop
Dill	Hughes	Reed (T)	Wallace
Doss	Jones (F)	Reynolds	Warren
Downing	King	Roberts	Weeks
Drake	Kinsey	St. John	Williams
Easters	Lutz	Slate	Wood
Edwards	McBride	Smith (K)	Wynot
Ellis	McCluskey	Smith (P)	

—78

And the bill, H. 649, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.:	Cottingham	Hughes	St. John
Adams	Cross	Jackson	Slate
Adwell	Culver	Jones (F)	Smith (K)
Agee	Dill	King	Smith (P)
Bank	Doss	Kinsey	Snell
Barkett	Downing	Lutz	Stewart
Barron	Drake	McBride	Stokes
Bassett	Easters	McCluskey	Stubbs
Benton	Edwards	McDonald	Taylor
Boles	Ellis	McMillan	Timmons
Boutwell	Erdreich	May	Turnham
Brassell	Falkenburg	Meeks	Waggoner
Burgess	Fite	Mims	Waldrop
Callahan	Gafford	Naramore	Wallace
Carnes	Goodwin	Nettles	Warren
Carter	Grainger	Owens	Weeks
Casey	Hale	Porter	Williams
Cauthen	Harris	Reed (T)	Wise
Chesnut	Headley	Reynolds	Wood
Connell	Hearn	Roberts	Wynot

—79

And the bill:

H. 639. (With Amendments): To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

Was taken up.

The question was then on the adoption of the amendment # 1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

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1959

Amend H. B. 639 by deleting the title and substituting therefor the following title:

"To fix the compensation of the deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof."

ALSO, amend Section II of H. B. 639 by deleting the words "assistant judges of probate"

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Messrs.:	Cross	Hughes	Slate
Adams	Culver	Jackson	Smith (K)
Adwell	Dill	Jones (F)	Smith (P)
Agee	Doss	King	Snell
Bank	Downing	Kinsey	Stewart
Barkett	Drake	Lutz	Stokes
Barron	Easters	McBride	Stubbs
Bassett	Edwards	McCluskey	Taylor
Benton	Ellis	McDonald	Therrell
Boles	Erdreich	McMillan	Timmons
Boutwell	Falkenburg	May	Turnham
Brassell	Fite	Meeks	Waggoner
Burgess	Flipppo	Mims	Waldrop
Callahan	Gafford	Naramore	Wallace
Carnes	Goodwin	Nettles	Warren
Carter	Grainger	Owens	Weeks
Casey	Hale	Porter	Williams
Cauthen	Harris	Reed (T)	Wise
Chesnut	Headley	Reynolds	Wood
Connell	Hearn	Roberts	Wynot
Cottingham	Hill	St. John	

—82

The question was then on the adoption of the amendment # 2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section II of H. B. 639 by deleting the figure "\$16,500.00" and substituting in lieu therefor the figure "\$15,840.00".

Yeas 78; Nays 0.

Yeas:

Messrs.:	Burgess	Dill	Grainger
Adams	Callahan	Doss	Hale
Adwell	Carnes	Downing	Harris
Agee	Carter	Drake	Headley
Bank	Casey	Edwards	Hearn
Barkett	Cauthen	Ellis	Hughes
Barron	Chesnut	Erdreich	Jackson
Bassett	Connell	Falkenburg	Jones (F)
Benton	Cottingham	Fite	King
Boles	Cross	Gafford	Kinsey
Boutwell	Culver	Goodwin	Lutz

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McBride	Owens	Snell	Waldrop
McCluskey	Porter	Stewart	Wallace
McDonald	Reed (T)	Stokes	Warren
McMillan	Reynolds	Stubbs	Weeks
May	Roberts	Taylor	Williams
Meeks	St. John	Therrell	Wise
Mims	Slate	Timmons	Wood
Naramore	Smith (K)	Turnham	Wynot
Nettles	Smith (P)	Waggoner	

—78

The question was then on the adoption of the amendment # 3 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend H. B. 639 by deleting Section IV and substituting therefor the following Section:

"Section IV: This act shall become effective on October 1, 1973."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Smith (K)
Adams	Culver	King	Smith (P)
Adwell	Dill	Kinsey	Snell
Agee	Doss	Lutz	Stewart
Bank	Downing	McBride	Stokes
Barkett	Drake	McCluskey	Stubbs
Barron	Easters	McDonald	Taylor
Bassett	Edwards	McMillan	Therrell
Benton	Ellis	May	Timmons
Boles	Erdreich	Meeks	Turnham
Boutwell	Fite	Mims	Waggoner
Burgess	Gafford	Naramore	Waldrop
Callahan	Goodwin	Nettles	Wallace
Carnes	Grainger	Owens	Warren
Carter	Hale	Porter	Weeks
Casey	Harris	Reed (T)	Williams
Cauthen	Headley	Reynolds	Wise
Chesnut	Hearn	Roberts	Wood
Connell	Hughes	St. John	Wynot
Cottingham	Jackson	Slate	

—79

And the bill:

H. 639. To fix the compensation of the deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof."

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Burgess

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1961

Callahan	Falkenburg	McDonald	Snell
Carnes	Fite	McMillan	Stewart
Carter	Gafford	May	Stokes
Casey	Goodwin	Meeks	Stubbs
Cauthen	Grainger	Mims	Taylor
Chesnut	Hale	Naramore	Therrell
Connell	Harris	Nettles	Timmons
Cross	Headley	Owens	Turnham
Culver	Hearn	Porter	Waggoner
Dill	Hughes	Reed (T)	Waldrop
Doss	Jackson	Reynolds	Wallace
Downing	Jones (F)	Roberts	Warren
Drake	King	St. John	Williams
Easters	Kinsey	Slate	Wise
Edwards	Lutz	Smith (K)	Wood
Ellis	McBride	Smith (P)	Wynot
Erdreich	McCluskey		

—78

And the bill:

H. 638. (With Amendments): To fix the compensation or salary of the assistant Tax Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section IV of H. B. 638 by deleting said Section IV and substituting in lieu therefor the following:

"Section IV: This act shall become effective on October 1, 1973."

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Grainger	Meeks
Adams	Chesnut	Gray (F)	Mims
Adwell	Connell	Hale	Naramore
Agee	Coshatt	Harris	Nettles
Bank	Cottingham	Headley	Owens
Barkett	Culver	Hearn	Porter
Barron	Dill	Hughes	Pruitt
Bassett	Doss	Jackson	Reed (T)
Benton	Downing	Jones (F)	Reynolds
Boles	Drake	King	Roberts
Boutwell	Edwards	Kinsey	St. John
Brassell	Ellis	Lutz	Slate
Burgess	Erdreich	McBride	Smith (K)
Callahan	Falkenburg	McCluskey	Smith (P)
Carnes	Fite	McDonald	Snell
Carter	Gafford	McMillan	Stewart
Casey	Goodwin	May	Stokes

Stubbs	Turnham	Warren	Wise
Taylor	Waggoner	Weeks	Wood
Therrell	Waldrop	Williams	Wynot
Timmons	Wallace		

—82

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section II of H. B. 638 by deleting the figures "\$16,500.00" and inserting in lieu thereof the figure "\$15,840.00".

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Messrs.:	Cottingham	Jackson	Slate
Adams	Cross	Jones (F)	Smith (K)
Adwell	Culver	King	Smith (P)
Agee	Dill	Kinsey	Snell
Bank	Downing	Lutz	Stewart
Barkett	Drake	McBride	Stokes
Barron	Masters	McCluskey	Stubbins
Bassett	Edwards	McDonald	Taylor
Benton	Ellis	McMillan	Therrell
Boles	Erdreich	May	Timmons
Boutwell	Falkenburg	Meeks	Turnham
Brassell	Fite	Mims	Waggoner
Burgess	Gafford	Naramore	Waldrop
Callahan	Goodwin	Nettles	Wallace
Carnes	Grainger	Owens	Warren
Carter	Gray (F)	Porter	Weeks
Casey	Hale	Pruitt	Williams
Cauthen	Harris	Reed (T)	Wise
Chesnut	Headley	Reynolds	Wood
Connell	Hearn	Roberts	Wynot
Coshatt	Hughes	St. John	

—82

And the bill, H. 638, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Gafford	McCluskey
Adwell	Chesnut	Goodwin	McCorquodale
Agee	Coshatt	Grainger	McDonald
Bank	Cottingham	Gray (F)	McMillan
Barkett	Cross	Hale	May
Barron	Culver	Harris	Meeks
Bassett	Dill	Headley	Mims
Benton	Doss	Hearn	Naramore
Boles	Downing	Hughes	Nettles
Boutwell	Drake	Jackson	Owens
Burgess	Edwards	Jones (F)	Porter
Callahan	Ellis	King	Pruitt
Carnes	Erdreich	Kinsey	Reynolds
Carter	Falkenburg	Lutz	Roberts
Casey	Fite	McBride	St. John

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Slate	Stokes	Turnham	Williams
Smith (K)	Stubbs	Waggoner	Wise
Smith (P)	Taylor	Waldrop	Wood
Snell	Therrell	Wallace	Wynot
Stewart	Timmons	Weeks	

—79

And the bill:

H. 636. (With Amendments): To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section II, H. B. 636, by deleting the figure \$16,500.00 and inserting in lieu thereof the figure "\$15,840.00".

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hughes	St. John
Adams	Cottingham	Jackson	Slate
Adwell	Cross	Jones (F)	Smith (K)
Agee	Culver	King	Smith (P)
Bank	Dill	Kinsey	Snell
Barkett	Doss	Lutz	Stewart
Barron	Downing	McBride	Stokes
Bassett	Drake	McCluskey	Stubbs
Benton	Edwards	McDonald	Taylor
Boles	Ellis	McMillan	Therrell
Boutwell	Erdreich	May	Timmons
Brassell	Falkenburg	Meeks	Waggoner
Burgess	Fite	Mims	Waldrop
Callahan	Flippo	Naramore	Wallace
Carnes	Gafford	Nettles	Warren
Carter	Goodwin	Owens	Weeks
Casey	Grainger	Pruitt	Williams
Cauthen	Gray (F)	Reed (T)	Wise
Chesnut	Harris	Reynolds	Wood
Collins	Headley	Roberts	Wynot
CConnell	Hearn		

—82

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section IV of H. B. 636 by deleting said Section IV and inserting in lieu thereof the following:

"Section IV: This act shall become effective on October 1, 1973".

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Barkett	Benton	Burgess
Adwell	Barron	Boles	Callahan
Bank	Bassett	Boutwell	Carnes

Carter	Falkenburg	McCluskey	Snell
Casey	Fite	McDonald	Stewart
Cauthen	Flippo	McMillan	Stokes
Chesnut	Gafford	May	Stubbs
Collins	Goodwin	Meeks	Therrell
Connell	Grainger	Mims	Timmons
Coshatt	Gray (F)	Naramore	Turnham
Cottingham	Harris	Nettles	Waggoner
Cross	Headley	Owens	Waldrop
Culver	Hearn	Pruitt	Wallace
Dill	Hughes	Reed (T)	Warren
Doss	Jackson	Reynolds	Weeks
Downing	Jones (F)	Roberts	Williams
Drake	King	St. John	Wise
Edwards	Kinsey	Slate	Wood
Ellis	Lutz	Smith (K)	Wynot
Erdreich	McBride	Smith (P)	

—79

And the bill, H. 636, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hearn	Reynolds
Adams	Cross	Hughes	Roberts
Adwell	Crowe	Jackson	St. John
Bank	Culver	Jones (F)	Slate
Barkett	Dill	King	Smith (K)
Barron	Doss	Kinsey	Smith (P)
Bassett	Downing	Lutz	Snell
Benton	Drake	McBride	Stewart
Boles	Easters	McCluskey	Stokes
Boutwell	Edwards	McDonald	Stubbs
Brassell	Ellis	McMillan	Therrell
Burgess	Erdreich	May	Timmons
Callahan	Falkenburg	Meeks	Turnham
Carnes	Fite	Mims	Waggoner
Carter	Flippo	Naramore	Waldrop
Casey	Gafford	Nettles	Wallace
Cauthen	Goodwin	Owens	Warren
Chesnut	Grainger	Porter	Weeks
Collins	Gray (F)	Pruitt	Williams
Connell	Harris	Reed (T)	Wood
Coshatt	Headley	Reid (R)	Wynot

—84

And the bill:

H. 635. (With Amendment): To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. B. 635 by deleting the words and figures "Twenty Two Thousand Five Hundred (\$22,500.00)" and inserting in lieu thereof

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the words and figures "Twenty-One Thousand Three Hundred Dollars (\$21,300.00)".

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jackson	St. John
Adams	Cross	Jones (F)	Slate
Adwell	Crowe	King	Smith (K)
Bank	Culver	Kinsey	Smith (P)
Barkett	Dill	Lutz	Snell
Barron	Doss	McBride	Stewart
Bassett	Downing	McCluskey	Stokes
Benton	Drake	McCorquodale	Stubbs
Boles	Easters	McDonald	Therrell
Boutwell	Edwards	McMillan	Timmons
Brassell	Ellis	May	Turnham
Burgess	Erdreich	Meeks	Waggoner
Callahan	Fite	Mims	Waldrop
Carnes	Flippo	Naramore	Wallace
Carter	Goodwin	Nettles	Warren
Casey	Grainger	Owens	Weeks
Cauthen	Gray (F)	Porter	Williams
Chesnut	Harris	Pruitt	Wise
Collins	Headley	Reed (T)	Wood
Connell	Hill	Reynolds	Wynot
Coshatt	Hughes	Roberts	

—83

And the bill, H. 635, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hughes	Slate
Adwell	Cottingham	Jackson	Smith (K)
Agee	Crowe	Jones (F)	Smith (P)
Barkett	Dill	King	Stewart
Barron	Downing	Kinsey	Stokes
Bassett	Drake	Lutz	Stubbs
Boles	Edwards	McBride	Therrell
Boutwell	Ellis	McCorquodale	Timmons
Burgess	Erdreich	McDonald	Turnham
Callahan	Fite	McMillan	Waggoner
Carnes	Flippo	May	Waldrop
Carter	Goodwin	Meeks	Wallace
Casey	Grainger	Naramore	Warren
Cauthen	Gray (F)	Owens	Weeks
Chesnut	Harris	Porter	Williams
Collins	Headley	Reynolds	Wynot
Connell	Hill	St. John	

—67

And the bill:

H. 287. (With Amendment): To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of H. B. 287 by deleting the figure "\$22,500.00" in the fourth line of Section 1 and substituting in lieu therefor the figure "\$21,945.00".

And the amendment was adopted.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Cottingham	King	Smith (K)
Adams	Cross	Kinsey	Smith (P)
Adwell	Culver	Lutz	Snell
Bank	Dill	McBride	Stewart
Barkett	Downing	McCluskey	Stokes
Barron	Drake	McDonald	Stubbs
Bassett	Edwards	McNair	Therrell
Boles	Ellis	May	Timmons
Boutwell	Fite	Meeks	Turnham
Bussell	Flinno	Mims	Waggoner
Callahan	Goodwin	Naramore	Waldrop
Carnes	Grainger	Nettles	Wallace
Carter	Gray (F)	Owens	Warren
Casey	Harris	Porter	Weeks
Cauthen	Headley	Pruitt	Williams
Chesnut	Hill	Reynolds	Wise
Collins	Hughes	St. John	Wood
Connell	Jackson	Slate	Wynot
Coshatt	Jones (F)		

—74

Nay: Mr. Erdreich.

—1

And the bill, H. 287, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hughes	St. John
Adwell	Cottingham	Jones (F)	Smith (K)
Agee	Crowe	King	Smith (P)
Bank	Culver	Kinsey	Stewart
Barkett	Dill	Lutz	Stokes
Barron	Downing	McBride	Stubbs
Bassett	Drake	McCluskey	Therrell
Boles	Edwards	McDonald	Timmons
Boutwell	Ellis	May	Turnham
Burgess	Flippo	Meeks	Waggoner
Callahan	Goodwin	Mims	Waldrop
Carnes	Grainger	Naramore	Wallace
Carter	Gray (F)	Nettles	Warren
Casey	Harris	Owens	Weeks
Cauthen	Headley	Porter	Williams
Chesnut	Hill	Pruitt	Wood
Collins	Hobbie	Reynolds	Wynot
Connell			

—69

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1967

And the bill:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 2.

Yeas:

Mr. Speaker	Coshatt	Jackson	Roberts
Adams	Cottingham	Jones (F)	St. John
Adwell	Cross	King	Slate
Agee	Culver	Kinsey	Smith (K)
Bank	Doss	Lutz	Smith (P)
Barron	Downing	McBride	Snell
Bassett	Drake	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Falkenburg	McDonald	Stubbs
Brassell	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Mims	Turnham
Carter	Grainger	Naramore	Waldrop
Casey	Gray (F)	Nettles	Wallace
Cauthen	Harris	Owens	Warren
Chesnut	Headley	Porter	Williams
Collins	Hill	Reynolds	Wood
Connell	Hughes		

—70

Nays: Messrs. Dill and Erdreich.

—2

And the bill:

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Casey	Fite	King
Adams	Cauthen	Flippo	Kinsey
Adwell	Chesnut	Gafford	Lutz
Agee	Collins	Goodwin	McBride
Bank	Connell	Grainger	McCorquodale
Barron	Coshatt	Gray (F)	McDonald
Bassett	Cottingham	Hale	McMillan
Boles	Culver	Harris	May
Boutwell	Dill	Headley	Meeks
Brassell	Downing	Hill	Naramore
Callahan	Drake	Hughes	Nettles
Carnes	Edwards	Jackson	Owens
Carter	Ellis	Jones (F)	Porter

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Reid (R)
Reynolds
Roberts
St. John
Slate

Smith (K)
Smith (P)
Snell
Stewart
Stubbs

Therrell
Timmons
Turnham
Waldrop
Wallace

Warren
Weeks
Williams
Wood

—71

And the bill:

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Boles
Boutwell
Brassell
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell

Coshatt
Cottingham
Cross
Crowe
Culver
Downing
Drake
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Grainger
Gray (F)
Hale
Harris
Headley
Hill

Hughes
Jackson
King
Kinsey
Lutz
McBride
McCluskey
McCorquodale
McDonald
McMillan
McNair
May
Mims
Naramore
Nettles
Owens
Porter
Pruitt
Reynolds

Roberts
St. John
Slate
Smith (K)
Snell
Stewart
Stokes
Stubbs
Therrell
Timmons
Turnham
Waggoner
Waldrop
Wallace
Warren
Weeks
Williams
Wood
Wynot

—78

Nay: Mr. Dill.

—1

And the bill:

H. 1292. Relating to all counties with a population of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Having been amended on the nineteenth legislative day, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell

Agee
Bank
Barkett

Barron
Bassett
Benton

Boles
Boutwell
Brassell

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1969

Callahan	Ellis	Lutz	Slate
Carnes	Erdreich	McBride	Smith (K)
Carter	Fite	McCluskey	Smith (P)
Casey	Flippo	McCorquodale	Snell
Cauthen	Gafford	McDonald	Stewart
Chesnut	Goodwin	McMillan	Stubbs
Collins	Grainger	McNair	Therrell
Connell	Gray (F)	May	Timmons
Coshatt	Hale	Meeks	Turnham
Cottingham	Harris	Naramore	Waggoner
Cross	Headley	Nettles	Waldrop
Crowe	Hill	Owens	Wallace
Culver	Hughes	Porter	Weeks
Dill	Jackson	Pruitt	Williams
Downing	Jones (F)	Reynolds	Wood
Drake	King	Roberts	Wynot
Edwards	Kinsey	St. John	

—79

H. 533 POSTPONED

On motion of Mr. Reed (T), the bill, H. 533, was postponed to the twenty-second legislative day.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1115. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Connell	Harris	Pruitt
Adams	Cottingham	Headley	Reynolds
Adwell	Cross	Hughes	Roberts
Agee	Crowe	Jackson	St. John
Barkett	Dill	King	Slate
Barron	Doss	Kinsey	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Boles	Drake	McBride	Snell
Boutwell	Edwards	McDonald	Stubbs
Brassell	Ellis	McMillan	Therrell
Burgess	Erdreich	McNair	Timmons
Callahan	Falkenburg	May	Turnham
Carnes	Fite	Meeks	Waggoner
Carter	Flippo	Naramore	Waldrop
Casey	Gafford	Nettles	Wallace
Cauthen	Goodwin	Owens	Williams
Chesnut	Grainger	Porter	Wynot
Collins	Hale		

—70

And the bill:

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal

decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Pruitt
Adams	Crowe	Hughes	Reynolds
Adwell	Doss	Jackson	Roberts
Agee	Downing	Jones (F)	St. John
Barkett	Drake	King	Slate
Barron	Edwards	Kinsey	Smith (K)
Bassett	Ellis	Lutz	Smith (P)
Boles	Erdreich	McBride	Snell
Boutwell	Falkenburg	McCluskey	Stubbs
Brassell	Fite	McDonald	Therrell
Callahan	Flippo	McMillan	Timmons
Carnes	Gafford	McNair	Turnham
Carter	Goodwin	May	Waggoner
Casey	Grainger	Meeks	Waldrop
Chesnut	Grey (D)	Naramore	Wallace
Collins	Hale	Nettles	Warren
Connell	Harris	Owens	Williams
Cottingham	Headley	Porter	Wynot

—72

And the bill:

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dill	Hughes	Pruitt
Adams	Doss	Jackson	Reynolds
Adwell	Downing	Jones (F)	Roberts
Agee	Drake	King	St. John
Barkett	Edwards	Kinsey	Slate
Barron	Ellis	Lutz	Smith (K)
Bassett	Erdreich	McBride	Smith (P)
Boles	Falkenburg	McCluskey	Snell
Boutwell	Fite	McDonald	Stubbs
Burgess	Flippo	McMillan	Therrell
Callahan	Gafford	McNair	Timmons
Carnes	Goodwin	May	Turnham
Carter	Grainger	Meeks	Waggoner
Casey	Hale	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	Owens	Williams
Connell	Hill	Porter	Wynot
Cottingham			

—69

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1971

And the bill:

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hill	Pruitt
Adams	Cross	Hughes	Reynolds
Adwell	Crowe	Jackson	Roberts
Agee	Doss	Jones (F)	St. John
Barkett	Downing	King	Slate
Barron	Drake	Kinsey	Smith (K)
Bassett	Edwards	Lutz	Smith (P)
Benton	Ellis	McBride	Snell
Boles	Erdreich	McCluskey	Stewart
Boutwell	Falkenburg	McDonald	Stubbs
Brassell	Fite	McMillan	Therrell
Callahan	Flippo	McNair	Timmons
Carnes	Gafford	May	Turnham
Carter	Goodwin	Meeks	Waldrop
Casey	Grainger	Naramore	Wallace
Chesnut	Hale	Nettles	Williams
Collins	Harris	Owens	Wise
Connell	Headley	Porter	Wynot

—72

And the bill:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hill
Adams	Casey	Ellis	Hughes
Adwell	Chesnut	Erdreich	Jackson
Agee	Collins	Falkenburg	Jones (F)
Barkett	Connell	Fite	King
Barron	Cottingham	Flippo	Kinsey
Bassett	Cross	Goodwin	Lutz
Benton	Crowe	Grainger	McBride
Boles	Dill	Grey (D)	McCluskey
Boutwell	Doss	Hale	McDonald
Brassell	Downing	Harris	McMillan
Carnes	Drake	Headley	McNair

21st Day

May	Reed (T)	Smith (P)	Turnham
Meeks	Reynolds	Snell	Waggoner
Naramore	Roberts	Stewart	Waldrop
Nettles	St. John	Stubbs	Wallace
Owens	Slate	Therrell	Williams
Porter	Smith (K)	Timmons	Wynot
Pruitt			

—73

And the bill:

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Connell	Harris	Pruitt
Adams	Cottingham	Headley	Reynolds
Adwell	Cross	Hill	Roberts
Agee	Crowe	Jones (F)	St. John
Barkett	Doss	King	Slate
Barron	Downing	Kinsey	Smith (K)
Bassett	Drake	Lutz	Smith (P)
Benton	Edwards	McBride	Snell
Boles	Ellis	McCluskey	Stewart
Boutwell	Erdreich	McDonald	Stubbs
Brassell	Falkenburg	McMillan	Therrell
Burgess	Fite	McNair	Turnham
Callahan	Flippo	May	Waggoner
Carnes	Gafford	Meeks	Waldrop
Carter	Goodwin	Naramore	Wallace
Casey	Grainger	Nettles	Williams
Chesnut	Grey (D)	Owens	Wynot
Collins	Hale	Porter	

—71

And the bill:

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Cross
Adams	Boles	Casey	Crowe
Adwell	Boutwell	Chesnut	Doss
Agee	Brassell	Collins	Downing
Barkett	Burgess	Connell	Drake
Barron	Callahan	Coshatt	Edwards
Bassett	Carnes	Cottingham	Ellis

REGULAR SESSION
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1973

Erdreich	Hughes	Meeks	Stewart
Falkenburg	Jackson	Naramore	Stubbs
Fite	Jones (F)	Nettles	Therrell
Flippo	King	Owens	Timmons
Gafford	Kinsey	Porter	Turnham
Goodwin	Lutz	Reynolds	Waggoner
Grainger	McBride	Roberts	Waldrop
Grey (D)	McCluskey	St. John	Wallace
Hale	McDonald	Slate	Williams
Harris	McMillan	Smith (K)	Wise
Headley	McNair	Smith (P)	Wynot
Hill	May	Snell	

—75

And the bill:

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Connell	Headley	Pruitt
Adams	Coshatt	Hughes	Reynolds
Adwell	Cottingham	Jackson	Roberts
Agee	Crowe	Jones (F)	St. John
Barkett	Dill	King	Slate
Barron	Downing	Kinsey	Smith (K)
Bassett	Drake	Lutz	Smith (P)
Benton	Edwards	McBride	Snell
Boles	Ellis	McCluskey	Stewart
Boutwell	Erdreich	McDonald	Stubbs
Brassell	Fite	McMillan	Therrell
Burgess	Flippo	May	Timmons
Callahan	Gafford	Meeks	Waggoner
Carnes	Goodwin	Naramore	Waldrop
Carter	Grainger	Nettles	Wallace
Casey	Grey (D)	Owens	Williams
Chesnut	Hale	Porter	Wynot
Collins	Harris		

—70

And the bill:

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Headley	Pruitt
Adams	Cross	Hill	Reynolds
Adwell	Crowe	Hughes	Roberts
Agee	Dill	Jackson	St. John
Barkett	Doss	Jones (F)	Slate
Barron	Downing	King	Smith (K)
Bassett	Drake	Kinsey	Smith (P)
Benton	Edwards	Lutz	Snell
Boles	Ellis	McBride	Stewart
Boutwell	Erdreich	McCluskey	Stubbs
Brassell	Falkenburg	McDonald	Therrell
Burgess	Fite	McMillan	Timmons
Callahan	Flippo	McNair	Turnham
Carnes	Gafford	May	Waggoner
Carter	Goodwin	Meeks	Waldrop
Casey	Grainger	Naramore	Wallace
Chesnut	Gray (F)	Nettles	Williams
Collins	Grey (D)	Owens	Wise
Connell	Hale	Porter	Wynot
Coshatt	Harris		

—78

And the bill:

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Callahan	Drake	Harris
Adams	Carnes	Edwards	Headley
Adwell	Carter	Ellis	Hill
Agee	Casey	Erdreich	Hughes
Barkett	Chesnut	Falkenburg	Jackson
Barron	Collins	Fite	Jones (F)
Bassett	Connell	Flippo	King
Benton	Cottingham	Gafford	Kinsey
Boles	Cross	Goodwin	Lutz
Boutwell	Crowe	Grainger	McBride
Brassell	Dill	Grey (D)	McCluskey
Burgess	Downing	Hale	McDonald

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21st Day

1975

McMillan	Porter	Smith (P)	Waggoner
McNair	Pruitt	Snell	Waldrop
May	Reynolds	Stewart	Wallace
Meeks	Roberts	Stubbs	Williams
Naramore	St. John	Therrell	Wise
Nettles	Slate	Turnham	Wynot
Owens	Smith (K)		

—74

And the bill:

H. 1314. To authorize the Baldwin County Commission to provide a humane shelter for animals in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Headley	Porter
Adams	Cross	Hill	Pruitt
Adwell	Crowe	Hughes	Reynolds
Agee	Dill	Jackson	Roberts
Barkett	Doss	Jones (F)	St. John
Barron	Downing	King	Slate
Bassett	Drake	Kinsey	Smith (K)
Benton	Edwards	Lutz	Smith (P)
Boles	Ellis	McBride	Snell
Boutwell	Erdreich	McCluskey	Stewart
Brassell	Falkenburg	McDonald	Stubbs
Burgess	Fite	McMillan	Therrell
Callahan	Flippo	McNair	Turnham
Carnes	Gafford	May	Waggoner
Carter	Goodwin	Meeks	Waldrop
Casey	Grainger	Naramore	Wallace
Chesnut	Grey (D)	Nettles	Wise
Collins	Hale	Owens	Wynot
Connell	Harris		

—74

And the bill:

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Ellis
Adams	Brassell	Coshatt	Erdreich
Adwell	Burgess	Cottingham	Falkenburg
Agee	Callahan	Crowe	Fite
Barkett	Carnes	Dill	Flippo
Barron	Carter	Doss	Gafford
Bassett	Casey	Downing	Goodwin
Benton	Chesnut	Drake	Grainger
Boles	Collins	Edwards	Gray (F)

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Grey (D)	Lutz	Owens	Stewart
Hale	McBride	Porter	Stubbs
Harris	McCluskey	Pruitt	Therrell
Headley	McDonald	Reynolds	Turnham
Hill	McMillan	Roberts	Waggoner
Hughes	McNair	St. John	Waldrop
Jackson	May	Slate	Wallace
Jones (F)	Meeks	Smith (K)	Wise
King	Naramore	Smith (P)	Wynot
Kinsey	Nettles	Snell	

—75

And the bill:

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Harris	Owens
Adwell	Crowe	Headley	Porter
Agee	Dill	Hill	Pruitt
Barkett	Doss	Hughes	Reynolds
Barron	Downing	Jackson	Roberts
Bassett	Drake	Jones (F)	St. John
Benton	Edwards	King	Slate
Boles	Ellis	Kinsey	Smith (K)
Boutwell	Erdreich	Lutz	Smith (P)
Burgess	Falkenburg	McBride	Snell
Callahan	Fite	McCluskey	Stubbs
Carnes	Flippo	McDonald	Therrell
Carter	Gafford	McMillan	Turnham
Casey	Goodwin	McNair	Waggoner
Chesnut	Grainger	May	Waldrop
Collins	Gray (F)	Meeks	Wallace
Connell	Grey (D)	Naramore	Wise
Coshatt	Hale	Nettles	Wynot

—72

And the bill:

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Cross
Adams	Boles	Casey	Crowe
Adwell	Boutwell	Chesnut	Dill
Agee	Brassell	Collins	Doss
Barkett	Burgess	Connell	Downing
Barron	Callahan	Coshatt	Drake
Bassett	Carnes	Cottingham	Edwards

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21st Day

1977

Ellis	Headley	May	Smith (P)
Erdreich	Hughes	Meeks	Snell
Falkenburg	Jackson	Naramore	Stubbs
Fite	Jones (F)	Nettles	Therrell
Flippo	King	Owens	Timmons
Gafford	Kinsey	Porter	Turnham
Goodwin	Lutz	Pruitt	Waggoner
Grainger	McBride	Reynolds	Waldrop
Gray (F)	McCluskey	Roberts	Wallace
Grey (D)	McDonald	St. John	Williams
Hale	McMillan	Slate	Wise
Harris	McNair	Smith (K)	Wynot

—76

And the bill:

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a nonprofit ambulance service.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Adams	Cottingham	Harris	Reed (T)
Adwell	Crowe	Headley	Reynolds
Agee	Dill	Hill	Roberts
Barkett	Doss	Hughes	St. John
Barron	Downing	Jones (F)	Slate
Bassett	Drake	King	Smith (K)
Benton	Easters	Kinsey	Smith (P)
Boles	Edwards	McBride	Snell
Boutwell	Ellis	McCluskey	Stewart
Brassell	Erdreich	McDonald	Stubbs
Burgess	Falkenburg	McMillan	Therrell
Callahan	Fite	May	Timmons
Carnes	Flippo	Meeks	Turnham
Carter	Gafford	Merrill	Waggoner
Casey	Goodwin	Naramore	Waldrop
Chesnut	Grainger	Nettles	Wallace
Collins	Gray (F)	Owens	Williams
Connell	Grey (D)	Porter	Wise
Coshatt	Hale	Pruitt	Wynot

—76

And the bill:

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Barkett	Benton	Burgess
Adwell	Barron	Boles	Callahan
Agee	Bassett	Boutwell	Carnes

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Carter	Ellis	King	St. John
Casey	Erdreich	Kinsey	Slate
Chesnut	Falkenburg	Lutz	Smith (K)
Collins	Fite	McBride	Smith (P)
Connell	Gafford	McCluskey	Stubbs
Coshatt	Goodwin	McDonald	Therrell
Cottingham	Grainger	McMillan	Timmons
Cross	Gray (F)	May	Turnham
Crowe	Grey (D)	Naramore	Waggoner
Dill	Harris	Nettles	Waldrop
Doss	Headley	Porter	Wallace
Downing	Hill	Pruitt	Williams
Drake	Hughes	Reed (T)	Wise
Easters	Jackson	Reynolds	Wynot
Edwards	Jones (F)	Roberts	

—71

And the bill:

H. 1427. To provide for purging the list of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker	Coshatt	Hale	Pruitt
Adams	Cottingham	Harris	Reed (T)
Adwell	Cross	Headley	Reynolds
Agee	Crowe	Hill	Roberts
Barkett	Dill	Hughes	St. John
Barron	Doss	Jones (F)	Slate
Bassett	Downing	King	Smith (K)
Benton	Drake	Kinsey	Smith (P)
Boles	Easters	Lutz	Stewart
Boutwell	Edwards	McBride	Stubbs
Brassell	Ellis	McDonald	Therrell
Burgess	Erdreich	McMillan	Timmons
Callahan	Falkenburg	McNair	Turnham
Carnes	Fite	May	Waggoner
Carter	Gafford	Meeks	Waldrop
Casey	Goodwin	Naramore	Wallace
Chesnut	Grainger	Nettles	Williams
Collins	Gray (F)	O'Daniel	Wise
Connell	Grey (D)	Porter	Wynot

—76

Nay: Mr. Jackson.

—1

And the bill:

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

REGULAR SESSION
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1979

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Headley	Reed (T)
Adams	Cottingham	Hughes	Reynolds
Adwell	Crowe	Jackson	St. John
Agee	Dill	Jones (F)	Slate
Barkett	Doss	King	Smith (K)
Barron	Downing	Kinsey	Smith (P)
Bassett	Drake	Lutz	Snell
Benton	Easters	McBride	Stewart
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	McMillan	Therrell
Brassell	Falkenburg	McNair	Timmons
Burgess	Fite	May	Turnham
Callahan	Gafford	Meeks	Waggoner
Carnes	Goodwin	Naramore	Waldrop
Carter	Grainger	Nettles	Wallace
Casey	Gray (F)	O'Daniel	Williams
Chesnut	Grey (D)	Porter	Wise
Collins	Hale	Pruitt	Wynot
Connell	Harris		

—74

And the bill:

H. 1430. To amend Sections 7 and 9 of Act No. 2100, H. 1930, Regular Session 1971, (Acts 1971, p. 3369), which relates to the creation, jurisdiction, organization and functions of the Cleburne County Intermediate Court; to provide that the judge of said court receive a monthly expense allowance of \$275.00 in addition to his regular compensation; and to abolish the cost system in criminal cases and add in lieu thereof a standard fee of \$10.00.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Connell	Harris	Reynolds
Adams	Cottingham	Headley	Roberts
Adwell	Cross	Hughes	St. John
Agee	Crowe	Jackson	Slate
Barkett	Dill	Jones (F)	Smith (K)
Barron	Doss	King	Smith (P)
Bassett	Downing	Kinsey	Snell
Benton	Drake	McBride	Stewart
Boles	Easters	McDonald	Stubbs
Boutwell	Edwards	McMillan	Therrell
Brassell	Ellis	May	Timmons
Burgess	Erdreich	Meeks	Turnham
Callahan	Falkenburg	Naramore	Waggoner
Carnes	Fite	Nettles	Waldrop
Carter	Goodwin	O'Daniel	Wallace
Casey	Grainger	Porter	Williams
Chesnut	Grey (D)	Reed (T)	Wise
Collins	Hale	Reid (R)	Wynot

—72

And the bill:

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Harris	Reid (R)
Adams	Cross	Headley	Reynolds
Adwell	Crowe	Hughes	Roberts
Agee	Dill	Jackson	St. John
Barron	Doss	Jones (F)	Slate
Bassett	Downing	King	Smith (K)
Benton	Drake	Kinsey	Smith (P)
Boles	Easters	Lutz	Stewart
Boutwell	Edwards	McBride	Stubbs
Brassell	Ellis	McDonald	Therrell
Burgess	Erdreich	McMillan	Timmons
Callahan	Falkenburg	May	Turnham
Carnes	Fite	Meeks	Waggoner
Carter	Goodwin	Namamore	Waldrop
Casey	Grainger	Nettles	Wallace
Chesnut	Gray (F)	O'Daniel	Williams
Collins	Grey (D)	Porter	Wise
Connell	Hale	Reed (T)	Wynot
Coshatt			

—73

And the bill:

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Carter	Erdreich	Kinsey
Adams	Casey	Falkenburg	Lutz
Adwell	Chesnut	Fite	McBride
Agee	Collins	Goodwin	McDonald
Barkett	Connell	Grainger	McMillan
Barron	Coshatt	Gray (F)	May
Bassett	Cottingham	Grey (D)	Meeks
Benton	Cross	Hale	Namamore
Boles	Crowe	Harris	Nettles
Boutwell	Dill	Headley	O'Daniel
Brassell	Downing	Hughes	Owens
Burgess	Drake	Jackson	Porter
Callahan	Edwards	Jones (F)	Reid (R)
Carnes	Ellis	King	Reynolds

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1981

Roberts	Snell	Therrell	Wallace
St. John	Stewart	Timmons	Williams
Slate	Stubbs	Waggoner	Wise
Smith (K)	Taylor	Waldrop	Wynot
Smith (P)			

—73

And the bill:

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Headley	Reid (R)
Adams	Cross	Hughes	Reynolds
Adwell	Crowe	Jackson	Roberts
Agee	Dill	Jones (F)	St. John
Barkett	Doss	King	Slate
Barron	Downing	Kinsey	Smith (K)
Bassett	Drake	Lutz	Smith (P)
Benton	Easters	McBride	Snell
Boles	Edwards	McCluskey	Stewart
Boutwell	Ellis	McDonald	Stubbs
Brassell	Erdreich	McMillan	Therrell
Burgess	Falkenburg	May	Timmons
Callahan	Fite	Meeks	Turnham
Carnes	Goodwin	Naramore	Waggoner
Carter	Grainger	Nettles	Waldrop
Casey	Gray (F)	O'Daniel	Wallace
Chesnut	Grey (D)	Owens	Williams
Collins	Hale	Porter	Wise
Connell	Harris	Reed (T)	Wynot
Coshatt			

—77

And the bill:

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Barron	Boutwell	Carnes
Adams	Bassett	Brassell	Carter
Adwell	Benton	Burgess	Casey
Barkett	Boles	Callahan	Chesnut

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Collins	Fite	McCluskey	Smith (K)
Connell	Goodwin	McDonald	Smith (P)
Coshatt	Grainger	McMillan	Snell
Cottingham	Gray (F)	May	Stewart
Cross	Grey (D)	Meeks	Stubbs
Crowe	Hale	Naramore	Taylor
Dill	Harris	Nettles	Therrell
Doss	Headley	O'Daniel	Timmons
Downing	Hughes	Owens	Turnham
Drake	Jackson	Porter	Waggoner
Easters	Jones (F)	Reed (T)	Waldrop
Edwards	King	Reid (R)	Wallace
Ellis	Kinsey	Reynolds	Williams
Erdreich	Lutz	St. John	Wise
Falkenburg	McBride	Slate	Wynot

—76

And the bill:

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	St. John
Adams	Cross	Jackson	Slate
Adwell	Crowe	Jones (F)	Smith (K)
Barkett	Dill	King	Smith (P)
Barron	Doss	Kinsey	Snell
Bassett	Downing	Lutz	Stewart
Benton	Drake	McBride	Stokes
Boles	Edwards	McCluskey	Stubbs
Boutwell	Ellis	McDonald	Taylor
Brassell	Erdreich	McMillan	Therrell
Burgess	Falkenburg	May	Timmons
Callahan	Fite	Meeks	Turnham
Carnes	Flipppo	Mims	Waggoner
Carter	Goodwin	Naramore	Waldrop
Casey	Grainger	Nettles	Wallace
Chesnut	Gray (F)	O'Daniel	Weeks
Collins	Hale	Porter	Williams
Connell	Harris	Reid (R)	Wise
Coshatt	Headley	Reynolds	Wynot

—76

And the bill:

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
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1983

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Slate
Adams	Crowe	Jones (F)	Smith (K)
Adwell	Dill	King	Smith (P)
Barkett	Doss	Kinsey	Snell
Barron	Downing	Lutz	Stewart
Bassett	Drake	McBride	Stokes
Benton	Edwards	McCluskey	Stubbs
Boles	Ellis	McDonald	Taylor
Boutwell	Erdreich	McMillan	Therrell
Brassell	Falkenburg	May	Timmons
Burgess	Fite	Meeks	Turnham
Callahan	Goodwin	Naramore	Waggoner
Carnes	Grainger	Nettles	Waldrop
Carter	Gray (F)	O'Daniel	Wallace
Casey	Gray (D)	Owens	Weeks
Chesnut	Hale	Porter	Williams
Connell	Harris	Reid (R)	Wise
Coshatt	Headley	Reynolds	Wynot
Cottingham	Hughes	St. John	

—75

And the bill:

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reynolds
Adams	Dill	Jones (F)	St. John
Adwell	Doss	King	Slate
Barkett	Downing	Kinsey	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Brassell	Fite	McNair	Taylor
Burgess	Flippo	May	Timmons
Callahan	Goodwin	Meeks	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Casey	Gray (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Weeks
Connell	Harris	Porter	Williams
Coshatt	Headley	Pruitt	Wise
Cottingham	Hill	Reid (R)	Wynot
Cross	Hughes		

—78

And the bill:

H. 1445. To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	St. John
Adams	Doss	King	Slate
Adwell	Downing	Kinsey	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Barron	Edwards	McBride	Snell
Bassett	Ellis	McCluskey	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	May	Taylor
Brassell	Flippo	Meeks	Therrell
Burgess	Goodwin	Naramore	Timmons
Callahan	Grainger	Nettles	Turnham
Carnes	Gray (F)	O'Daniel	Waggoner
Carter	Grey (D)	Owens	Waldrop
Casey	Hale	Porter	Wallace
Chesnut	Harris	Pruitt	Weeks
Connell	Headley	Reid (R)	Williams
Coshatt	Hughes	Reynolds	Wise
Cottingham	Jackson	Roberts	Wynot
Cross			

—77

And the bill:

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker	Callahan	Drake	Harris
Adams	Carnes	Edwards	Headley
Adwell	Carter	Ellis	Hughes
Barkett	Casey	Erdreich	Jackson
Barron	Chesnut	Falkenburg	Jones (F)
Bassett	Connell	Fite	King
Benton	Coshatt	Flippo	Kinsey
Boles	Cottingham	Goodwin	Lutz
Boutwell	Cross	Grainger	McBride
Brassell	Doss	Gray (F)	McCluskey
Burgess	Downing	Hale	McDonald

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1985

McMillan	Porter	Smith (P)	Turnham
McNair	Pruitt	Snell	Waggoner
May	Reid (R)	Stewart	Waldrop
Meeks	Reynolds	Stokes	Wallace
Naramore	Roberts	Stubbs	Weeks
Nettles	St. John	Taylor	Williams
O'Daniel	Slate	Therrell	Wise
Owens	Smith (K)	Timmons	Wynot
—76			
Nay: Mr. Crowe.			
—1			

And the bill:

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Slate
Adams	Dill	King	Smith (K)
Adwell	Doss	Kinsey	Smith (P)
Barkett	Downing	Lutz	Snell
Barron	Drake	McBride	Stewart
Bassett	Edwards	McCluskey	Stokes
Benton	Ellis	McDonald	Stubbs
Boles	Erdreich	McMillan	Taylor
Boutwell	Falkenburg	McNair	Therrell
Brassell	Fite	May	Timmons
Burgess	Flippo	Meeks	Turnham
Callahan	Goodwin	Naramore	Waggoner
Carnes	Grainger	Nettles	Waldrop
Carter	Gray (F)	O'Daniel	Wallace
Casey	Hale	Owens	Weeks
Chesnut	Harris	Porter	Williams
Connell	Headley	Pruitt	Wise
Coshatt	Hughes	Reynolds	Wynot
Cottingham	Jackson	St. John	
—75			

And the bill:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 15, 1973, through October 1, 1973.

Was taken up.

Mr. Cross offered the following amendment to the bill:

Amend House Bill No. 1495 by deleting the date "July 15" found in the first paragraph and in Section 2, and substituting in lieu thereof the date "July 23".

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Slate
Adwell	Doss	Kinsey	Smith (K)
Barron	Downing	Lutz	Smith (P)
Bassett	Drake	McBride	Stewart
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	McMillan	Taylor
Burgess	Falkenburg	McNair	Therrell
Callahan	Fite	May	Timmons
Carnes	Flippo	Meeks	Turnham
Carter	Goodwin	Mims	Waggoner
Casey	Grainger	Naramore	Waldrop
Cauthen	Gray (F)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Cross	Jackson	Reynolds	Wynot
Crowe	Jones (F)	St. John	

—75

And the bill, H. 1495, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Slate
Adams	Dill	King	Smith (K)
Adwell	Doss	Kinsey	Smith (P)
Barron	Downing	Lutz	Snell
Bassett	Drake	McBride	Stewart
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	McMillan	Taylor
Brassell	Falkenburg	McNair	Therrell
Burgess	Fite	May	Timmons
Callahan	Flippo	Meeks	Turnham
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Waldrop
Casey	Gray (F)	Nettles	Wallace
Cauthen	Hale	O'Daniel	Warren
Chesnut	Harris	Owens	Weeks
Connell	Headley	Porter	Williams
Coshatt	Hill	Pruitt	Wise
Cottingham	Hughes	Reynolds	Wynot
Cross	Jackson	St. John	

—79

And the bill:

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

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1987

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	St. John
Adams	Dill	King	Slate
Adwell	Doss	Kinsey	Smith (K)
Barkett	Downing	Lutz	Smith (P)
Barron	Drake	McBride	Snell
Bassett	Edwards	McCluskey	Stewart
Benton	Ellis	McDonald	Stokes
Boles	Erdreich	McMillan	Stubbs
Boutwell	Falkenburg	McNair	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Meeks	Timmons
Callahan	Goodwin	Mims	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Casey	Hale	O'Daniel	Wallace
Cauthen	Harris	Owens	Weeks
Chesnut	Headley	Porter	Williams
Connell	Hughes	Pruitt	Wise
Coshatt	Jackson	Reynolds	Wynot
Cottingham			

—77

And the bill:

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Doss	King	St. John
Adwell	Downing	Kinsey	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Burgess	Flippo	May	Taylor
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Mims	Timmons
Carter	Gray (F)	Naramore	Turnham
Cauthen	Hale	Nettles	Waggoner
Chesnut	Harris	O'Daniel	Waldrop
Connell	Headley	Owens	Wallace
Coshatt	Hobbie	Porter	Weeks
Cottingham	Hughes	Pruitt	Williams
Cross	Jackson	Reynolds	Wise
Crowe	Jones (F)	Roberts	Wynot
Dill			

—77

And the bill:

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Crowe	Kinsey	St. John
Adams	Dill	Lutz	Slate
Adwell	Downing	McBride	Smith (K)
Barron	Drake	McCluskey	Smith (P)
Bassett	Edwards	McDonald	Snell
Benton	Ellis	McMillan	Stewart
Boles	Erdreich	McNair	Stokes
Boutwell	Falkenburg	May	Stubbs
Brassell	Fite	Meeks	Taylor
Burgess	Goodwin	Mims	Therrell
Callahan	Grainger	Naramore	Timmons
Carnes	Gray (F)	Nettles	Turnham
Carter	Hale	O'Daniel	Waggoner
Cauthen	Harris	Owens	Waldrop
Chesnut	Headley	Porter	Wallace
Connell	Hobbie	Pruitt	Weeks
Coshatt	Hughes	Reynolds	Williams
Cottingham	Jackson	Roberts	Wynot
Cross	King		

—74

And the bill:

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hobbie
Adams	Cauthen	Ellis	Hughes
Adwell	Chesnut	Erdreich	Jackson
Barron	Connell	Falkenburg	Jones (F)
Bassett	Coshatt	Fite	King
Benton	Cottingham	Flippo	Kinsey
Boles	Cross	Goodwin	Lutz
Boutwell	Crowe	Grainger	McBride
Brassell	Dill	Gray (F)	McCluskey
Burgess	Doss	Hale	McDonald
Callahan	Downing	Harris	McMillan
Carnes	Drake	Headley	McNair

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1989

May	Pruitt	Stewart	Waggoner
Meeks	Reynolds	Stokes	Waldrop
Merrill	Roberts	Stubbs	Wallace
Naramore	St. John	Taylor	Weeks
Nettles	Slate	Therrell	Williams
O'Daniel	Smith (K)	Timmons	Wise
Owens	Smith (P)	Turnham	Wynot
Porter	Snell		

—78

And the bill:

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Roberts
Adams	Downing	Kinsey	St. John
Adwell	Drake	Lutz	Slate
Barron	Edwards	McBride	Smith (K)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turnham
Carter	Hale	Naramore	Waggoner
Cauthen	Harris	Nettles	Waldrop
Chesnut	Headley	O'Daniel	Weeks
Connell	Hobbie	Owens	Williams
Coshatt	Hughes	Porter	Wise
Cottingham	Jackson	Pruitt	Wynot
Crowe	Jones (F)	Reynolds	

—75

And the bill:

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Dill
Adwell	Burgess	Connell	Doss
Barron	Callahan	Coshatt	Downing
Bassett	Carnes	Cottingham	Drake
Benton	Carter	Crowe	Edwards

Ellis	Hughes	Naramore	Stewart
Erdreich	Jackson	Nettles	Stokes
Falkenburg	Jones (F)	O'Daniel	Stubbs
Fite	King	Owens	Taylor
Flippo	Kinsey	Porter	Timmons
Goodwin	Lutz	Pruitt	Turnham
Grainger	McBride	Reynolds	Waggoner
Gray (F)	McCluskey	Roberts	Waldrop
Hale	McDonald	St. John	Warren
Harris	McMillan	Slate	Weeks
Headley	Mathews	Smith (K)	Williams
Hill	May	Smith (P)	Wise
Hobbie	Meeks	Snell	Wynot

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:25 P.M. on July 24, 1973.

H. 9
H. 195
H. 207
H. 242
H. 383
H. 385
H. 386
H. 451
H. 453
H. 454
H. 498
H. 572
H. 648
H. 117
H. 180
H. 525
H. 543
H. 546

JOHN W. PEMBERTON,
Clerk.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

REGULAR SESSION
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1991

Delivered to the Governor at 1:40 P.M. on July 25, 1973.

H. 557
H. 395
H. 396
H. 397
H. 398
H. 408
H. 538
H. 541
H. 703
H. 706
H. 754
H. 655
H. 656
H. 553
H. 657
H. 665
H. 668
H. 704
H. 705
H. 750
H. 766
H. 767
H. 769
H. 770
H. 545
H. 641
H. 671
H. 723
H. 724
H. 725
H. 726
H. 727
H. 797
H. 798
H. 846
H. 869
H. 871
H. 875
H. 882
H. 883
H. 884
H. 885
H. 888
H. 919

H. 920
H. 929
H. 933
H. 934
H. 935
H. 936
H. 959
H. 763
H. 815
H. 696
H. 937
H. 178
H. 179
H. 181
H. 182
H. 193
H. 194
H. 222
H. 227
H. 229
H. 288
H. 369

Delivered to the Secretary of State at 2:00 P.M. on July 25, 1973.

H. 690 (Constitutional Amendment)

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. McDonald, the House adjourned until 12:00 o'clock noon, Thursday, July 26, 1973.

TWENTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, July 25, 1973

The House did not meet today.

TWENTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, July 26, 1973

The House met pursuant to adjournment.

**REGULAR SESSION
23rd Day**

1993

PRAYER

The session was opened with prayer by Reverend Vernon Anderson, Pastor, Fundamental Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names;

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-first legislative day and finds the same to be correct.

**TOM DRAKE,
Chairman.**

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-first legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has care-

fully examined the Journal of the House for the twenty-second legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-second legislative day was approved.

MOTION IN WRITING

Mr. Cross filed the following Motion in Writing:

Having voted with the prevailing side on the passage of House Bill 1495 on the last legislative day, I move that the vote by which said bill was passed be now reconsidered.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 161. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, July 31, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 161, was adopted.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing and having voted on the prevailing side, Mr. Cross moved to reconsider the vote by which the bill, H. 1495, was passed, and the motion was adopted.

And the bill:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 15, 1973, through October 1, 1973.

Was again taken up.

Mr. Cross offered the following substitute to the bill, as amended:

A BILL TO BE ENTITLED AN ACT

Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial

REGULAR SESSION
23rd Day

1995

census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 23, 1973, through October 1, 1973.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall apply only to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census.

Section 2. The tax collector in counties to which this act applies shall be paid a monthly expense allowance in the amount of \$256.00 out of the general fund of the county for the period July 23, 1973 through October 1, 1973.

Section 3. The provisions of this act shall become effective July 23, 1973 and shall expire and become null and void after October 1, 1973.

And the substitute was adopted.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reynolds
Adwell	Culver	Hughes	Roberts
Agee	Falkenburg	Jackson	Slate
Barron	Fite	King	Stokes
Benton	Flipppo	Lutz	Therrell
Callahan	Grainger	McMillan	Turner
Carnes	Gray (F)	Mathews	Wallace
Carter	Hale	Merrill	Weeks
Casey	Hardin	Naramore	Williams
Connell	Harris	Porter	Wise

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 23, 1973, through October 1, 1973.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Barkett	Callahan	Cauthen
Adams	Barron	Carnes	Chesnut
Adwell	Benton	Carter	Connell
Agee	Boutwell	Casey	Cottingham

Cross	Hardin	Mims	Stewart
Culver	Harris	Naramore	Stokes
Doss	Headley	Nettles	Stubbs
Downing	Hobbie	Owens	Therrell
Easters	Hughes	Porter	Turner
Edwards	Jackson	Reid (R)	Waldrop
Fite	King	Reynolds	Wallace
Flippo	Lutz	Roberts	Warren
Goodwin	McMillan	Slate	Weeks
Grainger	Mathews	Smith (K)	Williams
Gray (F)	Meeks	Smith (P)	Wise
Grey (D)	Merrill	Snell	Wynot
Hale			

H. 457 RE-REFERRED

On motion of Mr. Fite to re-refer, the Speaker re-referred the bill, H. 457, from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1007. (With Substitute)(With Amendments): To authorize and regulate collection agencies, to define collection agencies, to prescribe the duties thereof, to describe the duties of the Attorney General in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 903. (With Amendment): To regulate further the recording and indexing of instruments relative to land titles in counties having populations not in excess of 300,000 according to the last or any subsequent decennial federal census; to provide for a system of self-indexing of all land transfer instruments recorded in probate offices; and to prescribe fees.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 904. To amend Section 262, of Title 51, Alabama Code of 1940, so as to make further provisions for the recording and indexing of tax sales and deeds given in confirmation thereof.

H. 899. Creating a presumption as to the delivery of instruments conveying interests in land.

H. 901. Curing certain defects in recorded instruments affecting title to land.

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H. 905. To repeal Section 73, of Title 34, of the Alabama Code of 1940, which requires the joinder of the husband in the deed of the wife; and to prescribe a time limit within which a husband may have a deed set aside when he did not join therein.

H. 906. To repeal Section 21, of Title 9, of the Alabama Code of 1940, which relates to contracts entered into on Sunday; and to validate contracts heretofore entered into on Sunday.

H. 907. Giving the protection afforded an innocent purchaser for value to those receiving quitclaim deeds or similar instruments.

H. 908. Prescribing the effect of certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, so as to extend its provisions to all corporations organized for private profit, and to create a conclusive presumption as to the power of certain corporate officers, and to further regulate the defense of ultra vires relative to acts of and conveyances and transfers of property by or to corporations organized for private profit; and adopting by reference the provisions relative to such defense contained in Act No. 414, S. 261, Regular Session of 1959.

H. 910. To further regulate powers of attorney; to provide further for the duration, effect and revocation of such powers of attorney; and to provide further for recording instruments granting or revoking such powers.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1484. To provide a division of accounts, insurance and registration within the Public Service Commission; to provide for the chief of such division and provide for his salary.

H. 1613. To amend Act No. 2432, Regular Session, 1971 (Acts 1971 p. 3891) providing for the creation, incorporation, and operation of the Marine Environmental Sciences Consortium by designating it as a state agency and providing for a Board of Directors with full power and authority for its management; and to grant to state educational institutions and state, county, and municipal agencies authority to make contributions for its support.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1202. Relating to mental health, enacting the Interstate Compact on mental health; providing for the interstate movement of patients; defining terms; providing for the treatment of or transfer of patients between states, regardless of residence, if such transfer would be beneficial to the patient; describing the obligation of the sending and receiving states; providing that the state is not obligated to accept a patient from another state unless agreed to in advance; providing for the payment of costs of transfer; providing for aftercare or supervision; prescribing a procedure to handle the escape of dangerous patients; providing for the transfer of any patient through states; providing for the continuation of legal guardianship responsibilities and allowing

the appointment of supplemental or substitute guardians; providing that this Act does not apply to any person institutionalized while under sentence in a penal or correctional institution or while subject to trial on a criminal charge; providing for a compact administrator; providing for supplemental agreement; prescribing a method for withdrawal from the compact.

H. 188. Relating to the emergency services division of the state health department, requiring the state personnel department to establish job descriptions, requirements, qualifications and pay schedules for positions in said division; providing that appropriations for the payment of annual salaries for personnel in said division shall be included in the general appropriation bill.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 189. (With Amendment): Relating to emergency medical services in hospitals; authorizing the state board of health to establish, promulgate and enforce rules, regulations and minimum standards for the operation of emergency departments in hospitals of this state and to provide for the categorization of hospitals according to the capabilities of such departments; requiring the state highway department to denote on all official highway maps and by the erection of highway markers the location of certain designated hospitals.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1117. To recognize that the Federal courts have held that the furnishing and performance of medical services for inmates of correctional institutions is a governmental function; to declare that the doctors and para-medics employed by the Alabama State Board of Corrections performing such medical services shall be relieved of any personal liability, claims or actions as result of performing such services; and, to provide that any such claim that may be made shall be filed through the State Board of Adjustment.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 273 (With Substitute): To amend Title 22, Section 199 and 199 (1) relating to the system of care for tuberculosis patients.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1358. To name and designate a certain structure in the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham as the "Spain Tower."

H. 1645. To authorize the Alabama Board of Nursing to grant from its contingency fund \$50,000 per year for each fiscal year ending in Septem-

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ber of 1974 and 1975 to qualified agencies, individuals or institutions to promote voluntary continuing education for registered nurses and Licensed Practical Nurses.

H. 1414. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions, and industry, and to require counties and municipalities to provide for the collection and disposal of solid wastes and authorize them to charge a fee therefor, and to contract for such services to be performed by others and to permit the formation of districts for areas beyond corporate limits or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting authority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act and rules and regulations pursuant thereto in the interest of the public health, comfort and safety.

H. 238. To authorize the county health departments to contact with laboratories approved by the Director of State Laboratory Services of the Alabama Health Department for needed special health services required by the county health department.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit;

H. 630. (With Substitute): To amend Act No. 407, H. 198, 1971 Regular Session (1971 Acts, p. 707) which is the Alabama Insurance Code by adding a new chapter 37 consisting of Sections 814 through 828 so as to prescribe the allowable investments and assets of certain insurers.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1217. To amend Section 170 of Act No. 407 of the Regular Session 1971, approved August 25, 1971, entitled, "An Act to provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to

this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes;" so as to authorize the Commissioner of Insurance to issue licenses to nonresident persons in cases where the applicant for license is sponsored to the Department of Defense to solicit life and disability insurance from military personnel of the United States on military bases of such country outside its continental limits and within the geographical limits of jurisdictions which do not regulate the solicitation of such applications for insurance on such military bases.

H. 1316. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investment by the State Insurance Fund.

H. 1317. To amend further Title 28, Section 321, Code of Alabama 1940, as amended, which relates to the state insurance fund; to provide for a discount or surcharge on premiums paid into the fund based on the experience of the individual insureds participating in the fund.

S. 109. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 167. Relating to elections and voting in them; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing that procedures to be used in connection with elections in which these systems are used, including additional procedure for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

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H. 1242. To authorize and provide for certain physically handicapped persons to register to vote by mail.

H. 1241. Proposing an amendment to the Constitution of Alabama providing for the registration of certain confined and disabled persons by mail.

The above bill was read a second time at length as required by the Constitution.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1157. (With Substitute)(With Amendment): To amend Title 17 of the Code by adding Article 3D, to establish a permanent system of voter reidentification; requiring each voter to give his correct address when he votes in a general election; requiring each board of registrars to establish a method of recording whether each registered voter has voted in each general election; providing that voters who fail to vote for three consecutive general elections shall be removed from the voter list after proper notice as provided for; providing for the restoration of voters to the voting list; declaring this Act to be a uniform act governing elections; providing for the repeal of certain acts and the continued effectiveness of others; providing for the severability of this Act; and providing for an effective date.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1617. Relating to motor vehicles; providing for the revocation of the driver's license of any person convicted of repeated violations of the traffic laws and who has been designated an habitual offender under the provisions of this Act; prescribing the procedure for the petition, hearing and appeal in such cases; and prescribing the penalties for driving after license has been suspended or revoked.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 607. (With Amendment): To provide that the fire fighters or police officers of any city having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may by election designate bargaining agents to represent each in respect to the wages the City employing each shall pay each and in respect to other conditions of employment; to provide for calling and conduction elections to certify bargaining agents and elections to decertify bargaining agents to authorize the Director of Labor of the State of Alabama to establish rules and regulations governing the call of, notice of, and conduct of such elections; to provide for collective bargaining proceedings to be instituted by the bargaining agents or the officers or body empowered to establish wages for the fire fighters or police officers; to provide for compulsory arbitration; to provide for

the appointment of arbitrators and define their jurisdiction and authority; to provide that it shall be unlawful for a fire fighter or police officer to strike or engage in any work stoppage or slowdown, and that it shall be unlawful for any bargaining agent, or any officer or body empowered to establish wages for fire fighters or police officers to fail to bargain in good faith, in accordance with this Act; to provide penalties for any person violating this Act; and to repeal all laws or parts of laws, whether general, special or local, in conflict with this Act.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Mr. Lang, Vice-Chairman of the Standing Committee on Local Legislation, No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 484. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

S. 481. Relating to Covington County, Alabama, providing for allowances to the Sheriff of Covington County, Alabama, for feeding prisoners, preparing and serving food and other services incident to the feeding of prisoners in the county jails of Covington County, Alabama; providing that such allowances shall not be paid into the Treasury of Covington County, Alabama; and further providing that the payment of such allowances be retroactive to January 18, 1971.

S. 480. Relating to counties having a population of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

S. 441. To provide for a clerk and deputy clerk for the Board of Registrars of all counties with a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

S. 432. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the chairman and each member of the county commission.

S. 431. Relating to Morgan County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

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S. 422. To permit any bank now or hereafter having an office or place of business in Fort Payne, Alabama, to establish, maintain and operate additional offices or places of business in such city, with the approval of the Superintendent of Banks.

S. 405. To apply only in counties having populations of not less than 15,400 nor more than 15,625; providing an additional expense allowance for the register in chancery of such counties.

S. 403. To provide that the County Commission of Morgan County, Alabama shall consist of a Chairman and four other members and that the Chairman shall be a resident of Morgan County, Alabama and that one member of the Commission shall be a resident of District 1, that one member of the Commission shall be a resident of District 2, that one member of the Commission shall be a resident of District 3 and that one member of the Commission shall be a resident of District 4 and that the Chairman and the members of the Commission presently in office shall continue in office for the respective terms for which they were elected and that members of the Commission residing in Districts 1 and 2 shall be elected at the general election to be held in November, 1974 and every four years thereafter, and that members of the Commission who are residents of District 3 and District 4 shall be elected at the general election to be held in November, 1974 and every four years thereafter and that the Chairman shall be elected at the general election in November, 1974 and every six years thereafter and to prescribe the times when the Chairman and members shall take office and that at any primary election at which candidates for nomination to the office of Chairman of the Commission and members of the Commission are made and at any general election at which the Chairman and members of the Commission are to be elected, the qualified electors of Morgan County shall be entitled to vote, and to prescribe the qualifications of the Chairman and members of the Commission and for the vacation of the office of any member of the Commission other than the Chairman, if he shall cease to be a resident of the District in which he resided at the time of his election and for the appointment of his successor and for a successor in the event of a vacancy for any other cause, and to provide for the severability of the provisions of this Act and to repeal all laws in conflict with this Act to the extent of such conflict and to provide when this Act shall become effective.

S. 401. To permit any bank now or hereafter having an authorized office or place of business in Hartsell, Alabama to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

S. 392. Relating to Monroe County, to provide for an additional expense allowance for the members of the Monroe County Board of Registrars.

S. 391. Relating to Conecuh County to provide for the elimination of the final record from criminal cases in the county court; and to allow the original file and docket sheet of said court to stand as the final record.

S. 362. To provide an expense allowance to the official court reporter of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

S. 361. To repeal Act No. 216, H. 560, 1951 Regular Session (Acts, 1951, p. 487) entitled "An Act To create the office of County Solicitor of Wilcox County, Alabama; to fix the qualifications of the County Solicitor of

such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps."

S. 360. Relating to Wilcox County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

S. 299. To provide for the regulation by the Board of Education in counties with a population not less than 14,000 and not more than 15,000, according to the most recent federal decennial census, of the salary of the Superintendent of Education of such counties; establishing a maximum and minimum salary; establishing compensation for Board of Education members; to provide for retroactive effect.

S. 271. Relating to Franklin County; further regulating the number and compensation of deputy sheriffs; and providing retroactive effect for certain provisions of the act.

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

S. 225. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

S. 171. To provide additional compensation for each of the official court reporters of the Ninth Judicial Circuit.

H. 1361. To provide for compensation of Deputy District Attorneys No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit.

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

H. 1503. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners amending Sections 2 and 4 of Act # 411, H. 742, Regular Session 1963; and amending Sections 1 and 2 of Act # 652, S. 736, Regular Session 1969 (Acts 1969 p. 1182).

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H. 1504. Relating to Escambia County, providing for the payment or reimbursement by said County to the members, including the Chairman, of the Escambia County Commission and the Attorney for said County of their actual expenses incurred in the performance of their duties outside the County, including expenses incurred by them in attending conventions of the Alabama Association of County Commissioners and the National Association of County Commissioners, and repealing Act # 193, S. 79, Special Session 1969 (Acts, 1969, p. 255) and repealing Act # 611, H. 1168, Regular Session 1971 (Acts, 1971, p. 611).

H. 1537. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal decennial census; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, stores, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

H. 1574. Providing for expense allowances for the tax assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

H. 1589. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, allowing volunteer fire departments in the county to purchase tires through the State Finance Department.

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses

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incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the Act and, subject to the limitations prescribed in the act; to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

H. 1632. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette, in Fayette County.

H. 1633. Relating to all counties having populations of not less than 55,000 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking applications for voter registration; to provide further for the powers, duties and compensation of such special registrars.

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to

\$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number of compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

H. 1650. Relating to counties having a population of not less than 18,500 nor more than 20,500 according to the most recent federal decennial census; to provide further for the taking of fresh water mussels from the public rivers and streams of said counties.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

H. 998. To authorize, provide for, and regulate the introduction in evidence in any court in the state, when the original thereof would be admissible, of certified copies of certain hospital records of any hospital located in Alabama counties of more than 600,000 population, according to the last or any subsequent Federal census, organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining and handling such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probate value of such records.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 995. To amend Section II of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent (22%) seventy-five percent (75%) the portion of the total amount of the

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second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

H. 1442. (With Substitute): To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$4.50 per person residing in each municipality.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1048. (With Substitute)(With Amendments): Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish an advisory board to aid in the promulgation of such system; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceeding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of the Code of Alabama shall apply to and govern procedures in such courts.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1646. (With Amendment): Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount

of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 433. Relating to all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: Pelham, Bailes, Baker, Branyon, Carr, Clark, Cook, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Melton, Noonan, O'Bannon, Owen, Pierce, Register, Shelby, Vacca, Weaver, Wilder, Wilson and Beasley:

S. J. R. 78. WHEREAS, The Legislature is saddened to learn of the untimely death this morning of former Senator O. J. "Joe" Goodwyn; and

WHEREAS, Joe Goodwyn fought a long and gallant battle with unceasing courage; the dignity and acceptance with which he faced death won for him the admiration of all who knew him; and

WHEREAS, Joe Goodwyn, born in 1920 in Warrior, Alabama, gained a distinguished reputation in the practice of law; upon entering political life in 1954 in the House of Representatives, he won recognition consistently as outstanding freshman member (1955), hardest working member (1963), outstanding member (1965); and

WHEREAS, Upon moving over to the Senate in 1966, he continued to distinguish himself by sponsoring progressive and far-reaching legislation; the Press Corps named him the most outstanding Senator in 1967; and

WHEREAS, After the death of Governor Lurleen Wallace, Senator Goodwyn, as President Pro Tem, handled the difficult dual role of Senator and Presiding Officer with fairness and consummate skill; and

WHEREAS, Senator Goodwyn, with all of his ability and skill in the fields of law, legislation and politics, retained throughout his remarkable career the qualities of warmth, humor and humility which earned for him the love and friendship of all who knew him; now, therefore,

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BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature is deeply grieved that the life and potential of our good friend Joe Goodwyn has been so tragically cut short; we extend to his wife, Mary, his daughter, Susan, and his son, O. J., Jr., our deepest sympathy.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Goodwyn family.

McDOWELL LEE,
Secretary.

On motion of Mr. Lyons, the House concurred in and adopted the resolution, S. J. R. 78, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Hobbie, Lang, Harris, Wood, Taylor, Barron, Jones (F), Adams, Adwell, Agee, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Doss, Downing, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Flippo, Gafford, Goodwin, Grainger, Gray (F), Grey (D), Hale, Hardin, Headley, Hearn, Hill, Hughes, Jackson, King, Kinsey, Lutz, Lyons, McBride, McCluskey, McCorquodale, McDonald, McMillan, McNair, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Porter, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Stubbs, Therrell, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise and Wynot:

H. J. R. 162. MOURNING THE DEATH OF FORMER SENATOR O. J. (JOE) GOODWYN

WHEREAS former State Senator O. J. Goodwyn passed away today in Birmingham after an extended illness; and

WHEREAS, Senator Goodwyn was born December 15, 1920, at Warrior, Alabama, the son of Mr. and Mrs. Andrew Goodwyn; was graduated from the University of Alabama and from that institution's School of Law; and

WHEREAS Senator Goodwyn was a brilliant lawyer who practiced his profession in Montgomery after having served as assistant general counsel for the Alabama State Department of Industrial Relations; he was for many years an instructor at Jones Law School; he was elected to the Alabama House of Representatives in 1954, 1958 and 1962; during his terms in the House, he was elected outstanding freshman member of the House, hardest working member in 1963, and outstanding member in 1965; in 1966 he was elected to the Senate where he served with such outstanding ability and fairness as President Pro Tempore of that body that he was especially commended by his colleagues in a joint resolution of the Legislature; and

WHEREAS, Senator Goodwyn was a very kind and generous man whose number of friends are legion and he was particularly helpful in lending his ability, wisdom and experience to younger or newer members of the Legislature in aid of passage of important Legislative measures; and

WHEREAS Senator Goodwyn was a member of the state and county bar associations, having served as president of the latter in 1964, and was also a member of Phi Alpha Delta Legal Fraternity, the Chamber of Commerce, the Exchange Club, the Knights of Pythias and the American Legion; and

WHEREAS Senator Goodwyn is survived by his wife, the former Mary Chalmers Hair, by his son, Otis James, Jr. and by his daughter, Mrs. James Daniel Sizemore, all of Montgomery; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama has suffered a severe loss in the passing of one of its most beloved and distinguished leaders who has contributed so much to the progress and development of this state and the welfare of its citizens. We mourn the death of our good friend and former colleague, and extend our heartfelt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

On motion of Mr. Hobbie, the rules were suspended and the resolution, H. J. R. 162, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 151. COMMENDING FAMED SURGEON, DOCTOR J. GARBER GALBRAITH, FOR HIS OUTSTANDING CONTRIBUTIONS TO THE UNIVERSITY OF ALABAMA MEDICAL CENTER IN BIRMINGHAM.

ALSO:

H. J. R. 152. MOURNING THE DEATH OF J. A. WALKER, SR.

ALSO:

H. J. R. 153. MOURNING THE DEATH OF PAUL R. BRUNSON.

ALSO:

H. J. R. 154. HONORING UNIVERSITY OF ALABAMA POLICE CHIEF ALLEN O. RAYFIELD.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

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H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430 Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Lybrand, Harris and Fine.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 307. To repeal Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which act provides for the incorporation and management of an authority for the purpose of leasing, owning or acquiring and operating coliseums, parks, exhibits, fairgrounds and other facilities in all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Snell, the House non-concurred in the Senate substitute to the bill, H. 301, said Senate substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County; providing it with officers and providing their powers and duties; naming the judge of probate to also serve as the judge of said court; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court, the former Justice of Peace Courts, and the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County.

Be It Enacted by the Legislature of Alabama:

Section 1. Inferior Court Created. There is hereby established in Chambers County a court with county-wide limited jurisdiction of criminal and civil actions at law. The Court shall be known as the "Civil and Criminal Court of Chambers County, Alabama." It shall be in lieu of the County Court and the Juvenile Court of said county which are hereby abolished.

Section 2. Jurisdiction. Except for the restrictions herein provided, the Court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment, or actions in the nature of action in ejectment), cognizable before a circuit court, or a county court, or a juvenile court, or justices of the peace, immediately before the abolition thereof, or courts created in lieu thereof, and all courts of like jurisdictions. The Court shall have authority to punish contempts by fine not exceeding fifty dollars (\$50.00), and imprisonment not exceeding twenty-four hours (24 hrs.). The Court may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record. The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds three hundred dollars (\$300.00), exclusive of interest and attorney fees, nor take cognizance of any matter or proceeding in equity.

The Court hereby created shall not be a court of record and shall have and exercise the jurisdiction formerly exercised by justices of the peace, together with the jurisdiction herein provided, to wit:

(a) Civil:

(1) All actions founded on contract, when the sum claimed does not exceed \$300.00.

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(2) Of all actions founded on any wrong or injury when the damages claimed do not exceed \$300.00, except in actions of libel, slander, assault and battery, and ejectment, of which actions they have not jurisdiction.

(3) All actions of forcible entry and unlawful detainer.

(4) All actions brought to recover specific property, when the value does not exceed \$300.00.

(5) In such other cases as jurisdiction is, or may be given by law, not contrary to the Constitution.

(b) Criminal: To exercise jurisdiction in all such criminal matters and causes heretofore exercised or formerly exercised by justices of the peace, and, in addition, actions for issuance of worthless checks and for actions involving illegal possession of prohibited liquors.

Section 3. Judge. The judge of the Court herein established shall be the probate judge of Chambers County, who shall perform the duties of both the Probate Court and the Civil and Criminal Court of Chambers County.

Section 4. Sessions. (a) There shall be a LaFayette Division and a Valley Division of the Court. The LaFayette Division shall include and be composed of the following Commissioner's Districts in Chambers County, viz: Districts one (1) and two (2); and the Valley Division shall include and be composed of the following Commissioners' Districts, viz: Districts three (3), four (4), and five (5). The sessions of the Court of the Valley Division shall be held at some place in the City of Lanett or in the police jurisdiction thereof, and the sessions of the LaFayette Division of the Court shall be held at the courthouse in the City of LaFayette. The Court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the second and fourth Monday of each month there shall be held a session of the court for the handling, trial and disposition of all cases therein pending in the Valley Division, which shall continue as long as necessary to dispose of the docket. On the first and third Monday of each month, there shall be held a session of the court for the LaFayette Division. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that as to any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this Act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

(b) The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court except in juvenile court proceedings where attendance shall be within the discretion of the judge.

Section 5. Practice and Procedure. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties,

trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process as required by law shall issue, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the same as heretofore taxed in justice courts immediately before the abolition thereof. (2) in every criminal case, the same as in county courts, including fees as provided by Section 86 repealed of Title 11 of Code 1940, except that fees for cases provided for hereinafter under Section 8 (b) the fees shall be as there stated.

Section 8. Criminal Prosecutions. (a) Prosecutions may be commenced in such court upon the sworn complaint made to the judge or the clerk of the court, who shall issue a warrant of arrest if either is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Chambers County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, 1940, Title 36, shall be returnable to the Civil and Criminal Court of Chambers County, and shall be there tried. The court costs in such cases shall be the same as provided by law.

(c) The present Assistant District Attorney of Chambers County shall be prosecuting attorney of the Civil and Criminal Court of Chambers County and shall attend all sessions of said court and do and perform all duties of a prosecuting attorney therein, and in addition shall attend and represent the State at all preliminary hearings therein and shall do and perform all duties required of an Assistant District Attorney by the Code of Alabama, 1940, Title 13, Section 256.

Section 9. Appeals and Certiorari. Any party aggrieved by a judgment, order or ruling of the court may appeal the decision as herein provided. (a) If the case is a civil case, the appeal or certiorari lies to the Circuit Court of

Chambers County and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, where the trial shall be do novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the issues shall be made up as provided by Code 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the rules of pleading and practice in the circuit court now in effect, or as hereafter amended. (b) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Chapter 7 of Title 13 of the 1940 Code. (c) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 15, Section 320.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. Clerk. (a) The circuit clerk of Chambers County shall be the clerk of the court herein established. The circuit clerk shall have authority to requisition at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business, subject to the approval of the Chambers County Commission, and to employ at county expense, subject to the approval of Chambers County Commission, such deputy or deputies as he shall determine necessary, who shall be required to make bond as provided by law for circuit clerks. Before entering upon the performance of his duties as clerk of the Civil and Criminal Court of Chambers County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter, conferred on clerks of county courts; (7) to appoint deputy clerks, who shall have the authority to exercise all powers and perform all functions of the clerk.

Section 12. Transfer of Pending Cases. All cases and actions pending in the County Court of Chambers County and in the Juvenile Court of Chambers County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished courts, this court shall have the same power to control and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Any unsatisfied judgments rendered by any Justice of the Peace Court in Chambers County prior to the abolition of said Justice of the Peace Courts

may be transferred to the civil dockets of the Civil and Criminal Court of Chambers County, Alabama, by a certified copy of said judgment being filed with the clerk of the court within six (6) months after the effective date of this Act, and the clerk of the court shall make and maintain a docket record and file in each cause as though said judgment was rendered by this court.

Section 13. Severability. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. Repealer. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 15. Effective Date. This Act shall become effective upon the first day of the first month after its approval by the Governor or upon its otherwise becoming a law.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Connell	Harris	Reynolds
Adams	Cottingham	Headley	Roberts
Adwell	Crawford	Hughes	Robertson
Bank	Cross	Jackson	St. John
Barkett	Culver	King	Smith (K)
Barron	Downing	Lutz	Smith (P)
Boles	Drake	McBride	Snell
Boutwell	Easters	McCluskey	Stewart
Bowers	Ellis	McCorquodale	Stokes
Brassell	Erdreich	McMillan	Stubbs
Burgess	Falkenburg	Meeks	Therrell
Callahan	Fite	Merrill	Turner
Carnes	Flippo	Naramore	Waggoner
Carter	Goodwin	Nettles	Wallace
Casey	Grainger	Owens	Weeks
Cauthen	Gray (F)	Porter	Wise
Chesnut	Gray (D)	Reid (R)	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and

execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Snell, the House non-concurred in the Senate amendment to the bill, H. 308, said Senate amendment being as follows:

Amend the Substitute for H. B. 308 by adding at the end of Section 6 the following sentence:

"The authority shall also have the power to sue and to be sued, and shall have the power of eminent domain, provided, however, that in any acquisition by the authority under the power of eminent domain, the authority shall first pay into court the just compensation for such acquisition, which shall include the reasonable value of removal and dislocation costs of those persons whose property is so acquired."

To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operates coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; and to provide penalties and residency requirements for officers and employees of authorities, commissions, chambers, and committees.

Be It Enacted by the Legislature of Alabama:

Section 1. Provision is hereby made for the incorporation of an authority in Chambers County, which authority shall have the power to lease, or own, or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities and places for the amusement, entertainment, recreation and cultural development of the citizens of such county. Whenever four qualified electors of the State, who shall be shall be bonafide residents of the county in which the facilities are to be located, shall file an application in writing for a permit to ap-

ply for the incorporation of an authority in the manner hereinafter provided with the county commission or other governing body of said county, if the governing body of said county shall pass a resolution which shall be entered upon its minutes, which said resolution shall provide that the said governing body deems it wise, expedient, necessary, or advisable that said authority be formed and shall authorize the persons making the application to proceed to form said authority and to serve as the first directors, then such persons making such application shall proceed to execute, file and record a certificate as hereinafter provided for the purposes hereinafter set forth. The said application shall set forth the name which is to be adopted and used by said authority; and no name shall be used unless the use thereof is approved by the governing body in such resolution.

Section 2. Certificate of Incorporation. A certificate of incorporation shall be entitled and endorsed "Certificate of Incorporation of Burnt Village Park Authority," and shall state the name of the authority; the location of its principal office and post office address thereof, which shall be in Chambers County, Alabama, the names of directors who shall be the managers and officers of the authority until their successors are chosen, and who shall serve from the date of incorporation without compensation; the certificate of incorporation of such authority may also contain any provision not contrary to law and this act which the incorporators may choose to insert for the regulation of business for the conduct of the affairs of the authority; and any provisions creating, defining, limiting or regulating the powers of the authority, its directors and members.

Section 3. Acknowledgment and Recording of Certificate. The certificate of incorporation shall be acknowledged before an officer authorized by the laws of this state to take acknowledgment of deeds. When so acknowledged the certificate may be filed with the judge of probate of the county, who shall forthwith file such certificate and record the same. When application has been made, filed and recorded, as herein provided, the applicants shall constitute a public corporation under the name proposed in the application which name shall be "Burnt Village Park Authority."

Section 4. Board of Directors of Authority. Such authority formed under this subdivision shall constitute a public benefit agency of the state of Alabama and shall have a board of directors of five members. Such board of directors shall constitute the governing body of the authority. The members of said board of directors shall serve without compensation, except they shall be reimbursed for actual expenses incurred in and about the performance of their duties hereunder. No member of the board of directors shall be an officer of the county. The original and all subsequent directors shall be elected by the governing body of the county, and they shall be so elected that they shall hold office for staggering terms. For the purpose of so staggering the terms, the directorships shall be numbered one through five inclusive. The first term of office of each director shall be for a number of years corresponding to the number of the directorship which he holds; and, thereafter the term of office of each director shall be five years. Any person appointed to any vacant directorship during any term of such directorship shall be deemed appointed for the remainder of such term; provided, that if any person be appointed to any vacant directorship during the last six months of any term of such directorship, he shall be deemed appointed for the remainder of such term and for the next succeeding term of such directorship. The incumbent of a directorship may be removed from the board of directors

by the commission or other governing body of the county for inefficiency, neglect of duty or malfeasance after a fair hearing or opportunity therefor. After the passage of this act, every appointment or removal of a director shall be by resolution of the commission or other governing body of the county. A chairman and vice-chairman of said authority shall be elected by the authority from among its members, and a secretary shall be appointed, who may be or may not be a member of said board, but must be an actual bona-fide resident of Chambers County in accordance with Section 15 & 16 of this act. In the absence or incapacity of the chairman, the vice-chairman shall serve as chairman and may perform such acts and duties as the chairman is authorized to perform. The power of said authority shall be vested in and exercised by the majority of the members of the authority then in office. The said authority may delegate to one or more of its members or its officers, agents and employees such power and duties as it may deem proper, and shall appoint a treasurer who may or may not be a member of the authority, but he must have been an actual, bona-fide resident of Chambers County, Alabama for the past twelve months in accordance with Sections 15 & 16 of this act, to act as custodian of all the funds, from whatever source derived, received by said authority, and shall deposit said moneys in a separate account or accounts in one or more banks or trust companies which are duly qualified and doing business in the state of Alabama; provided, however, the authority may by resolution or by trust indenture securing the issuance of bonds herein authorized designate a fiscal agent or trustee, which shall be a bank or trust company duly qualified to do business in the state of Alabama, and may authorize such fiscal agent or trustee to receive and disburse, upon such terms and conditions (and subject to such exceptions if any) as may be specified in such resolution or trust indenture, all funds applicable to payment of said bonds. All such banks and trust companies are authorized to give security for moneys deposited with it.

Section 5. Chambers County or any City Therein May Lease, Sell, Donate or Convey to Authority Without Election: Covenant Not to Compete. Chambers County, or any city within the county, is authorized, but not required, to lease, sell, donate or otherwise convey to the authority, real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of said county, or any city therein, and the governing body of said county, or any city therein, is hereby authorized to enter into any agreements which such authority may deem necessary in order to effectuate such lease, sale, donation or transfer. Said county, or any city within said county, is further authorized to covenant with the authority, which covenant shall likewise constitute a contract with the holders of any revenue bonds, notes or other obligations thereafter issued by the authority, that it will not acquire, construct or operate, or permit the acquisition, construction or operation within said city, or any fairgrounds, exhibits, exhibitions, or other installations, facilities and places of amusement, entertainment, recreation and cultural development, in competition with the authority, so long as any bonds, notes or other obligations of the authority shall remain outstanding. After the effective date of this Act any conveyance granting, bargaining, selling, conveying or donating any land for any recreational or educational purpose in Chambers County may have the following restriction as to the future use of the land and no other restriction placed in it, Viz: "The property herein conveyed may be used solely for educational and/or recreational purposes." Any other restriction as to future use placed in a deed for educational and/or recreational purposes shall be void ab initio. This Act

shall apply to all land deeds physically received by any governing board or agency after the effective date of this Act.

Section 6. Powers of Authority. The authority shall have the power (a) to have a seal and alter the same at pleasure; (b) to appoint officers, agents and employees, including attorneys, subject to residency requirements in Sections 15 and 16 of this Act, and to fix their compensation; (c) to make by-laws for the management and regulation of its affairs; (d) to make contracts, and to execute all instruments necessary or convenient to lease or purchase and own real or personal property to be used for the furtherance of the purposes for the accomplishment of which said authority is created; (e) to construct or reconstruct or repair and maintain and operate, auditoriums, grandstands, arenas, fairgrounds, coliseums, and other installations and facilities, for the amusement, recreation and education of the citizens of the county; (f) to promote, sponsor and operate tournaments, shows, exhibitions and other amusements and recreational activities; (g) to charge fees for admission; (h) to lease or sublease to the state of Alabama or to any agency, political corporation or subdivision thereof, or to other persons, firms or corporations, any property owned or leased by the authority; (i) to acquire, by purchase, gift or lease, all real and personal properties which the Board of Directors of the corporation may deem necessary or convenient for its corporate purposes; (j) to conduct, promote, sponsor, operate, manage or own educational, cultural, recreational facilities, exhibits and exhibitions, and places of amusement and entertainment; (k) to accept or receive gifts, bequests and devises; (l) to do all things necessary or convenient to carry out the powers expressly given herein subject to restriction in Sections 15 and 16.

Section 7. Power of Authority To Issue Revenue Bonds. The authority shall have the power to borrow money and to issue revenue bonds as evidence of any money borrowed, which bonds shall be payable solely from the revenues derived from the fairs, exhibitions, amusements and other activities and enterprises in which the authority is hereby authorized to engage. As security for any money so borrowed, together with interest thereon, and any obligations incurred or assumed, the authority, in its discretion, may mortgage, pledge or otherwise transfer and convey its real, personal and mixed property, or any part of parts thereof, whether then owned or thereafter acquired, including any franchises then owned or thereafter acquired, and all or any part of the revenues derived from the fairs, exhibitions amusements and other activities and enterprises in which the authority is hereby authorized to engage. In the resolution authorizing such revenue bonds or the mortgage given to secure the payment thereof, the authority, in addition to its other powers, and subject to restrictions in Sections 15 and 16 of his act, shall have the power to agree with the several holders of such bonds and to make, enter into and perform covenants and agreements as to:

(a) the custody, security, use, expenditure or application of the proceeds of the bonds;

(b) the operation and maintenance of the properties held by the authority or of exhibitions, amusements, or other activities then or thereafter conducted by the authority;

(c) insurance of the properties of the authority;

(d) restrictions on the exercise of the powers of the authority to dispose, or to limit or regulate the use, of all or any part of the properties of the authority;

(e) the payment of the principal of or interest on the bonds, the rank or priority of any such bonds as to any lien or security, or the acceleration of the maturities of any such bonds;

(f) the use and disposition of any moneys of the authority, including revenues derived or to be derived from the operation of all or any part of the properties of the authority, including any parts thereof theretofore constructed or acquired, and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

(g) pledging, setting aside, depositing or trusteeing all or any part of the revenues or other moneys of the authority to secure the payment of the principal of or interest on the bonds, or the payment of expenses of operation or maintenance of the properties of the authority;

(h) the setting aside out of the revenues or other moneys of the authority or reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

(i) the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the properties of the authority or any obligations constituting, or which may constitute, a lien on such properties or any part thereof;

(j) limitations on the issuance of additional bonds, notes or other evidences of indebtedness or upon the incurrence of indebtedness of the authority;

(k) limitations upon the power of the authority to construct, acquire or operate, or permit the construction, acquisition or operation of any structures, facilities or properties which may compete or tend to compete with the properties, the revenues of which are pledged for the payment of the principal and interest of the bonds;

(l) payment of costs or expenses incident to the enforcement of the bonds or of the provisions of said resolution or mortgage, of any covenant or agreement with the holders of the bonds;

(m) the procedure, if any, by which the terms of any covenant or agreement with, or duty to, the holders of the bonds may be amended or abrogated, the amount of bonds, the holders of which must consent thereto, and the manner in which such consent may be given or evidenced;

(n) the terms and conditions upon which the holders of said bonds, or any proportion of them, or any trustees therefor, shall be entitled to the appointment of a receiver by any court of competent jurisdiction, which receiver may enter and take possession of the properties of the authority and operate and maintain the same and prescribe rates, rents, fees or charges, and collect, receive and apply all revenue arising from the operation of such properties in the same manner as the authority itself might do; or

(o) any other matter or course of conduct which, by recital in such resolution or mortgage is declared to further secure the payment of the principal of or interest on the bonds;

All such provisions of said resolution or mortgage and of such covenants and agreements, shall constitute valid and legally binding contracts between the authority and the several holders of the bonds, regardless of the

time of issuance of such bonds, and shall be enforceable by any such holder or holders by mandamus or other appropriate action, suit or proceeding at law or in equity in any court of competent jurisdiction. The circuit court of Alabama, or any court of competent jurisdiction, shall have authority to appoint a receiver for the properties of the authority, upon the terms and conditions specified in the resolution authorizing the issuance of the bonds or in any mortgage securing the payment of the principal and interest thereof. Any mortgage given as security for the payment of said bonds may contain such agreements as the authority shall deem advisable respecting the rights and duties of the parties to such instrument or for the benefit of whom such instrument is made, including the right to foreclose or to take possession without foreclosure. Revenue bonds issued under the authority of this section may be in such form and tenor, may bear such rate or rates of interest, and have such maturities and redemption privileges as the authority shall determine.

Such bonds so issued may thereafter, from time to time, be refunded by the issuance or sale or exchange of refunding bonds at such times and in such form and of such tenor, maturities or rate or rates of interest as may be agreed upon by the authority and the holders of the bonds so refunded if such refunding is by exchange, and as may be determined by the authority if such refunding is by sale of refunding bonds. Such authority may restrict the source of payment of such bonds and the security given therefor to whatever extent the authority shall deem advisable, but no such bonds shall purport to be effective to impose on the authority or its funds or property, any liability in excess of or inconsistent with the liability authorized to be incurred or assumed by sections one to fifteen of this act. Such borrowing may be evidenced by sale of such bonds either at private or public sale in such manner and from time to time as may be determined by the authority to be most advantageous, and the authority may pay all expenses, premiums and commissions which the authority may deem necessary and advantageous in connection with any such financing. All such bonds shall be regarded as negotiable instruments. All such bonds and all instruments executed as security therefor shall be exempt from all taxation under the laws of the state of Alabama, as long as the Burnt Village Park Authority and the Valley Chamber of Commerce are in compliance with Sections 15 and 16 of this Act. Neither the county nor any city in which said authority is located shall in no event be liable for any money so borrowed, nor shall the same be construed to be an indebtedness of or against said county or any city within said county. The bonds provided for herein shall be issued in the name of the corporation appearing in the certificate filed with the probate judge of the county; and said bonds shall be executed in such name by the chairman of the board of directors, attested by the secretary of the board, and thereon shall be impressed or printed the corporate seal. Coupons attached to said bonds may be executed solely by impressing or printing thereon the facsimile signature of the chairman.

Section 8. Meetings of Authority: Records to be Kept—The authority shall meet in Chambers County at such time as may be appropriate or necessary. An accurate record in the form of a minute book shall be kept in Chambers County of the business transacted, or the actions taken, at such meetings. The authority shall keep, or cause to be kept, in its principal office in Chambers County said minute book and in addition thereto all other books, or sets of books, documents, files, papers and letters and copies of letters pertaining to the enterprises and activities of the authority so as to afford at all reasonable hours accurate information pertaining to the activities and

finances of the authority. The records of the authority shall be kept at all times in Chambers County and they shall be public records and shall be open to the inspection of any member of the governing authority of the authorizing county at all reasonable times. The authority shall at least once during each calendar year make a report in writing of its activities to the governing body of the authorizing county, which report shall specify therein the financial condition of the authority, together with a report on the activities and plans of the authority.

Section 9. Contracts of Authority—Contracts of the authority shall be executed in the name of the authority by the chairman of the authority and attested by the secretary of the authority. Except for bonds, it is not required that the seal be impressed or printed on contracts. It is further provided hereby that, except for bonds, the authority may provide by resolution for a different form for the execution of contracts, and for the execution thereof by an officer or agent other than the chairman and secretary. But in no event shall a contract, irrespective of its form and of the persons executing the same, be binding unless such contract was authorized or ratified by the authority.

Section 10. Audit of Accounts of Authority—At least once every twelve months subsequent to the effective date of this section, the authority shall appoint and employ an expert accountant who shall make an examination in detail of all books and accounts of the authority since the preceding examination, and make a full report thereof in writing under oath, to be submitted to the authority and spread upon its minute book at the first meeting of the authority after the receipt of said report. The authority shall forward a copy of said report to each daily newspaper published in the county. The accountant shall be an actual, bona fide resident of the State of Alabama and shall have his principal office in Alabama.

Section 11. Bond of Treasurer of Authority—The treasurer of the authority shall give bond in such sum as the authority may prescribe for the faithful performance of his duties and the safe custody of the funds, which bond shall be executed by a surety company authorized to engage in the surety business in the state of Alabama and the premium on which bond shall be paid out of the funds of the authority. The treasurer shall keep all books in Chambers County, showing accurately the financial condition of the authority.

Section 12. County, or Any City Within Said County May Make Appropriations for, and Lend Money to Authority—The county, and any city within said county in which said authority is located is authorized, but not required, to make appropriations or to lend money from time to time to the authority for the purpose of providing educational, cultural and recreational facilities, exhibits and exhibitions for amusement and entertainment. Such voluntary appropriations or loans may be upon such terms and conditions as are mutually agreeable to the authority and the county, or any city within said county.

Section 13. Obligations of Authority not Obligations of State or Political Subdivision Thereof—No debt, obligation or liability contracted or incurred by the corporation or by any director, officer, employee or agent of this corporation shall be a debt, obligation or liability of the state of Alabama or of Chambers County or of any city, town, or political subdivision of said county or state of Alabama.

Section 14. Exemption from Taxation. All property of the authority shall be exempt from state, county and city taxation provided that the authority complies with sections 15 and 16 of this Act; and the authority shall be exempt from license or privilege taxes levied by the state, county or city upon the business or activities conducted or engaged in by said authority; provided, however, this exemption shall not be construed to exempt concessionnaires or lessees of the authority from the payment of any taxes, including licenses or privilege taxes levied by the state, county, or city.

Section 15. Residency Requirements. Anyone who is a secretary, treasurer, officer, member or ex-officio member, paid or un-paid employee or officer, paid or un-paid consultant or agent of the Burnt Village Park Authority or any subsidiary of the Burnt Village Park Authority, or any other park or recreation authority in Chambers County, Alabama, and anyone who is a secretary, treasurer, executive secretary of director, manager, officer, member or ex-officio member, paid or un-paid employee or officer, or paid or un-paid consultant or agent of the Valley Chamber of Commerce, or any board or subsidiary of the Valley Chamber of Commerce or any other chamber of commerce operating in Chambers County, Alabama, and anyone who is a secretary, treasurer, paid or un-paid employee or officer, or paid or un-paid consultant or agent of any committee, commission, agency, bureau, chamber, or authority which operates as (or is created by) a non-profit or tax-exempt organization in Chambers County, Alabama, shall be a native of Chambers County or he shall have been an actual and bona-fide resident of Chambers County, and must have physically resided days and nights in Chambers County during the past twelve months. Anyone who has temporarily or permanently moved, lived, habitated or co-habitated, or physically resided days or nights outside of Chambers County anytime during the past twelve months shall not be eligible to serve in any capacity with, on, or for Burnt Village Park Authority or the Valley Chamber of Commerce, or any other chamber of commerce or park or recreation authority which exists now or is created after this Act becomes law. Anyone/or any appointing authority, individually and collectively, who violates this section shall be fined \$100 a day for each day of the violation and the action, contracts, and negotiations of any authority, commission, chamber of commerce, or any organization in violation of this Act shall be illegal and therefor null and void. Anyone or any authority, individually and collectively, who circumvents this Act or conspires to circumvent this Act by any means, including getting a post office box or an address in a county or state other than Chambers County shall be fined \$1,000.

Section 16. Appointments and Previous Appointments. The Chambers County Commission shall appoint one person from each of the five county commissioner districts in Chambers County, as the commissioner districts existed on May 1, 1973, to serve as the members of the Burnt Village Park Authority. No one who served on the Burnt Village Park Authority prior to the passage of this Act shall be eligible to serve any more on or for the Burnt Village Park Authority or any other park or recreation authority in Chambers County and all appointments to the Burnt Village Park Authority prior to the passage of this Act are hereby cancelled. The Assistant District Attorney for Chambers County, or the District Attorney if the Assistant District Attorney's position is vacant, shall enforce the provisions of this Act and all funds derived from fines shall be forwarded to the Chambers County Board of Education to be used for public education. The Assistant District Attorney for Chambers County, or the District Attorney if the Assistant District Attorney's position is vacant, shall be fined \$100 a day for each day he fails to enforce

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the provisions of this Act. Any section or part of the Burnt Village Park Authority charter or by-laws in conflict with this Act are hereby declared to be null and void.

Section 17. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 18. The provisions of this Act are not severable. If any part of the Act is declared invalid or unconstitutional the entire Act shall be repealed.

Section 19. The Burnt Village Park Authority heretofore incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended and acts of the Burnt Village Park Authority relating to contracts entered into, subject to the provisions of Sections 15 and 16 of the Act, and all bonds issued by the Authority are hereby validated, ratified, and approved. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law, and the specific provisions of Sections 15 and 16 shall be enforced within seven days of the passage of this Act.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Crawford	Headley	Roberts
Adams	Cross	Hughes	Robertson
Bank	Culver	Jackson	St. John
Barkett	Doss	King	Smith (K)
Barron	Downing	Kinsey	Smith (P)
Benton	Drake	Lutz	Snell
Boles	Easters	McCluskey	Stokes
Boutwell	Edwards	McCorquodale	Stubbs
Bowers	Ellis	McDonald	Therrell
Burgess	Falkenburg	McMillan	Turner
Callahan	Fite	Mathews	Waggoner
Carnes	Flippo	Merrill	Wallace
Carter	Goodwin	Naramore	Warren
Casey	Grainger	Owens	Weeks
Cauthen	Gray (F)	Porter	Wise
Chesnut	Grey (D)	Reid (R)	Wood
Connell	Harris	Reynolds	Wynot
Coshatt			

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H. 1310 RE-REFERRED

On motion of Mr. Kinsey to re-refer, the Speaker re-referred the bill, H. 1310, from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

RESOLUTIONS

The following resolutions introduced on the twenty-first legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 159. MOURNING THE DEATH OF REV. PAUL WEEKLEY.

H. J. R. 160. COMMENDING THE ALABAMA YMCA YOUTH LEGISLATURE ON ITS 25th ANNIVERSARY.

S. J. R. 71. COMMENDING L. TENNENT LEE, JR. ON HIS RETIREMENT.

S. J. R. 65. MOURNING THE DEATH OF FORMER SENATOR JAMES THOMAS McDOW.

S. J. R. 67. MOURNING THE DEATH OF JAMES A. SIMPSON.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 708. Applying to DeKalb County, authorizing the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 556. Relating to counties having a population of not less than 10,900 nor more than 11,500, according to the most recent federal decennial census; to provide further for the compensation and expenses of the county superintendent of education.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the

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Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 917. Relating to any county having a population of not less than 15,400 nor more than 15,625, for fixing the salary of the county superintendent of education.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 460. To further amend Section 5 of Act. No. 82, H. 250, Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as last amended, an act relating to the County Superintendent of Education of Marion County so as to provide further for the salary of such superintendent; and to provide for retroactive effect.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 768. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, (Acts of 1971, p. 689) as amended, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this act a State Board of Barber Examiners, and defining violation of this act and prescribing penalties therefor" so as to delete Limestone County from the list of counties to which this act does not apply.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 582. To amend the title and Section 1 of Act No. 2374, H. 158, Regular Session, 1971 (Acts 1971, p. 3803-3804), which Act provides further for the compensation and allowances of the superintendent of education in such counties; and to provide for retroactive effect.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 870. To further amend Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), as amended, so as to further provide for the compensation of county superintendents of education in certain counties classified on a population basis; and to provide for retroactive effect.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 219. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties; and to provide for retroactive effect.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 27. Inviting the Alabama Vietnam POW's to appear before the Legislature.

Also:

H. J. R. 112. Declaring the intent of the Legislature not to repeal Code of Alabama, Recompiled 1958, Title 32, Section 11 (1), Pocket Supplement.

Also:

H. J. R. 127. Extending Sympathy to the Family of Representative Charles Therrell Upon the Death of His Father.

Also:

H. J. R. 138. Congratulating Representative and Mrs. James C. Wood on the Birth of a Son.

Also:

H. J. R. 114. Naming a portion of the public highway known as the Highway No. 72 By-Pass location in Scottsboro the "John T. Reid Parkway."

Also:

H. J. R. 129. COMMENDING THE OFFICERS AND MEN OF THE COAST GUARD CUTTER POINT VERDE AND EXTENDING APPRECIATION OF THE LEGISLATURE.

Also:

H. J. R. 135. Mourning the Death of James A. Simpson.

Also:

H. J. R. 136. MOURNING THE DEATH OF JAMES A. SIMPSON.

Also:

H. J. R. 137. MOURNING THE DEATH OF WILLIE EARL LINDSEY.

Also:

H. J. R. 142. Wishing L. T. Wagnon Many Happy Years of Leisure Upon His Forthcoming Retirement as County Agent in Lauderdale County.

Also:

H. J. R. 143. Commending Harry W. Boland of Opp for Risking His Own Life to Aid Opp Policeman Robert Earl Anderson.

Also:

H. J. R. 144. RECOGNIZING DR. JESSE M. RICHARDSON UPON HIS RETIREMENT.

Also:

H. J. R. 146. COMMENDING MR. CLARENCE M. KELLEY UPON HIS RECENT APPOINTMENT AS DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

Also:

H. J. R. 147. DESIGNATING MACON COUNTY ROAD AS GEORGE WASHINGTON CARVER DRIVE.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Benton:

H. 1652. To create an additional circuit judgeship for the Twenty-eighth Judicial Circuit of Alabama; to provide for the term, compensation, powers, duties, and authority of such judge; to designate the primary function of such judge and the judge heretofore provided for such circuit; to designate the presiding judge of such circuit.

Ways and Means.

By Mr. Williams:

H. 1653. To provide for the two Deputy District Attorneys for the Ninth Judicial Circuit, to fix their salaries and duties.

Ways and Means.

By Mr. Williams (With Notice and Proof):

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1654:

STATE OF ALABAMA
JACKSON COUNTY

LEGAL NOTICE

Pursuant to the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the Town of Woodville, Jackson County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, so that the corporate limits of said Town of Woodville shall hereafter be comprised of all the territory lying within the following described boundaries situated in Jackson County, Alabama, to-wit:

Commence at the Southeast corner of the Northeast quarter of the Southwest quarter of Section 13, Township 5 South, Range 3 East; thence run North along the center line of said Section 13 to the Southeast corner of the Southwest quarter of Section 12, Township 5 South, Range 3 East; thence run North along the center line of said Section 12 to the Southeast corner of the Southwest quarter of Section 1, Township 5 South, Range 3 East; thence run North along the center line of said Section 1 to the Southeast corner of the Southwest quarter of Section 36, Township 4 South, Range 3 East; thence run North along the center line of said Section 36 to a point in the Elliott Reservation which point would be the Southeast corner of the Northwest quarter of said Section 36 if the center line of said Section 36 were extended into the Elliott Reservation; thence run West along the center line of said Section 36, if extended, to the Northeast corner of the Southeast quarter of Section 35, Township 4 South, Range 3 East; thence run West along the center line of said Section 35 to a point in the Stevens Reservation which point would be the southeast corner of the Northeast quarter of Section 34, Township 4 South, Range 3 East if the east line of said Section 34 were extended into the Stevens Reservation; thence run South along the East boundary of said Section 34, if extended, to the Northeast corner of Section 3, Township 5 South, Range 3 East; thence continue South along the East boundary of said Section 3 to the Southeast Corner of said Section 3; thence run West along the South boundary of said Section 3 to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 3; thence run South along the center line of the West half of Section 10, Township 5 South, Range 3 East to the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 10; thence continue South along the center line of the West half of Section 15, Township 5 South, Range 3 East, to the Northeast corner of the Southwest quarter of the Southwest quarter of said Section 15; thence run East along the center line of the South half of said Section 15 to the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 15; thence continue East along the center line of the South half of Section 14, Township 5 South, Range 3 East to the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 14; thence continue East along the center line of the South half of Section 13, Township 5 South, Range 3 East to the Southeast corner of the Northeast quarter of the Southwest quarter of said Section 13, the point of beginning.

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Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James K. Harkness, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, 15, 22nd, and 29th, all in the year 1973.

JAMES K. HARKNESS.

Sworn to and subscribed before me the 9th day of July, 1973.

EDNA KIRBY,
Bookkeeper-Notary Public.

My Commission Expires Sept. 17, 1975.

By Messrs. Williams, McCorquodale and Wynot:

H. 1655. To further amend Section 1 of Act No. 419 of the 1939 Regular Session of the Alabama Legislature (Title 52, Section 362, Code of Alabama 1940, Recompiled 1958), as amended, which relates to the definitions under the State teachers' retirement to provide that "average final compensation" for such teachers be computed on the basis of the best two years of the last five years of creditable service.

Ways and Means.

By Messrs. Grainger, King, Hale, Hearn and Lutz (With Notice and Proof):

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 1656:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Huntsville in Madison County, Alabama, be and hereby are altered or rearranged so as to include within the corporate limits and within the boundaries of said municipality all territory now within the corporate limits and within the boundaries of said municipality, and also certain other territory in Madison County, Alabama, described as follows, to-wit:

All that part of the Southwest Quarter of Section 30, Township 4 South, Range 1 East, Madison County, Alabama, particularly described as beginning at a point on the West margin of Whitesburg Drive; said point being located due West 50.0 feet from the center of the South boundary of Section 30, Township 4 South, Range 1 East; thence from the place of true beginning due West along the South boundary of Section 30, Township 4 South, Range 1 East 252.9 feet to a point on the East margin of the right-of-way of the Louisville & Nashville Railway; thence North 15 degrees 20 minutes West along the East margin of the Louisville and Nashville Railway right-of-way 50.0 feet measured at right angles from the centerline of same a distance of 451.7 feet; thence North 49 degrees 30 minutes East 507.1 feet to a point on the West margin of Whitesburg Drive; thence South 0 degrees 15 minutes East along the West margin of said Whitesburg Drive 757.5 feet to the place of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 8, 15, 22, and 29, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 29th day of May, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

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By Messrs. Grainger, Lutz, King and Hearn:

H. 1657. To amend Act Number 1462, H. 1021, approved September 20, 1971, relating to the State Retirement System; to provide for the retirement of an employee under the State Retirement System, including but not limited to any employee of any county in the State who comes under the State Retirement System, who has obtained the age of 50 and has at least 30 years service and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Ways and Means.

By Messrs. McMillan, Hughes and McNair:

H. 1658. Relating to counties having a population of 400,000 or more; repealing Act No. 661, H. 978, Regular Session 1951, (Acts 1951, p. 1125) which created a County Barbers Commission for such counties.

Local Legislation No. 2.

By Messrs. McMillan, Hughes, McNair, Bowers, Ellis and Erdreich:

H. 1659. Providing further for County Zoning and Planning Commissions in Counties having a population of not less than 600,000 inhabitants according to the most recent federal decennial census.

Local Legislation No. 2.

By Messrs. Turner and Cottingham:

H. 1660. Amending Section 1 of Act No. 576, H. 235, Regular Session 1963 (Acts 1963, p. 1250), allowing disabled veterans to obtain special automobile license plates, so as to allow a veteran with 60 percent disability to obtain such plates.

Ways and Means.

By Messrs. Turner and Cottingham:

H. 1661. Providing tax exemptions on property owned and operated not for profit by the Disabled American Veterans Association.

Ways and Means.

By Mr. Turner:

H. 1662. Relating to homestead exemptions; requiring persons serving in the armed forces of the United States to file for homestead exemption.

Ways and Means.

By Messrs. Turner and Cottingham:

H. 1663. Providing certain real estate tax exemptions for quadriplegics.

Ways and Means.

By Messrs. Turner and Cottingham.

H. 1664. Providing disabled veterans who are paraplegics with certain real estate tax exemptions.

Ways and Means.

By Messrs. Carnes, Waldrop and Wynot:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Local Legislation No. 1.

By Messrs. Waldrop, Carnes and Wynot:

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

Local Legislation No. 1.

By Messrs. Carnes, Wynot and Waldrop:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

Local Legislation No. 1.

By Messrs. Carnes, Wynot and Waldrop:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Local Legislation No. 1.

By Messrs. Hughes and Wallace:

H. 1669. To make it illegal to operate a train consisting of more than four (4) pushing or pulling locomotive engines or more than one hundred (100) front running or trailway cars, and to make it illegal to block a road for more than ten (10) minutes.

Judiciary.

By Messrs. Connell and Crawford:

H. 1670. To designate The Annie Lee Cherry Gymnasium at the George C. Wallace State Technical Junior College.

Local Government.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1671. To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1671:

A BILL
TO BE ENTITLED
AN ACT

To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to Houston County, Alabama.

Section 2. There is hereby created the office of commissioner of licenses who shall be appointed by the chairman or president of the county governing body, county revenue commissioner and the judge of probate, or a majority of them who shall constitute a board of appointment for such purpose, such officer shall hold office at the pleasure of the appointing board and any vacancy occurring shall be filled by the appointing board or a majority of them. The salary of the commissioner of licenses shall be fixed by the appointing board at \$10,500.00 annually and shall be payable in equal monthly installments from the general funds of the county.

Section 3. The commissioner of licenses shall be a county officer and he shall have an official seal of office and shall maintain his permanent office in the courthouse. Before entering upon the duties of his office, the commissioner of licenses shall take the oath of office prescribed by the constitution and enter into bond in such sum as may be fixed by the county governing body, giving as surety thereon a bonding company authorized to do business

in this state. The bond shall be approved by the county governing body and filed with and recorded by the judge of probate of the county. All premiums on such bond shall be paid out of the general fund of the county.

Section 4. Suitable office space and all stationery, equipment, supplies and postage necessary for the conduct of this office shall be furnished by the governing body of the county to the commissioner of licenses except such stationery and supplies as the law now requires to be furnished by the State Department of Revenue or the State Comptroller.

Section 5. The commissioner of licenses herein provided for may appoint a chief clerk who shall, in his absence, have the power and authority herein granted to the commissioner of licenses. The commissioner of licenses may also appoint a sufficient number of other clerks and assistant to properly perform the duties of his office. The compensation of the clerks and assistants shall be fixed by the commissioner of licenses subject to the approval of the county governing body and paid out of the general fund of the county in the same manner as the salaries of other county employees are paid.

Section 6. It shall be the duty of the commissioner of licenses to collect and issue all licenses, except marriage licenses, for exercising any rights or privileges for which a license is required, privilege licenses, store licenses, chain store licenses, milk licenses, boat licenses, hunting licenses, fishing licenses, driver's licenses, licenses for motor vehicles, and any and all other licenses, except marriage licenses, which are now or which may hereafter be required by law to be paid to the State of Alabama or the counties thereof.

Section 7. Before any person, firm, or corporation shall engage in or carry on any business or do any act in any county in which this Act is applicable for which a license is required by law, he, they, or it, except as otherwise provided, shall pay to the commissioner of licenses the amount required for such licenses, and shall comply with all the requirements of this Act. All such licenses as shown in Section 6 of this Act, which are now or may hereafter be required by law to be issued, collected for and paid to the State of Alabama or the counties thereof in which this Act is applicable shall be issued and collected for in accordance with all sections of Chapter 20, Title 51, Code of Alabama, 1940, and all amendments thereto.

Section 8. On or after the first day of September each year, the commissioner of licenses, may mail an application in the form and containing the information hereinafter provided to all owners of motor vehicles listed as such in the motor vehicle license records (including transfers) in his office or, at his option, to such owners as request that such application be mailed to them. The application shall be on a form to be provided by the State Department of Revenue. The application form shall contain a space for the name and address of the owner of the motor vehicle and the make, model, year, and motor number of his motor vehicle and such other information with respect thereto as the State Department of Revenue may prescribe. The application form shall also contain a space for the correct amount of ad valorem taxes (state, county, school districts and municipal) and the amount of the motor vehicle license tax due thereon and the issuance fee, including the mailing fee provided for herein. The application form shall also contain a space for the owner to fill in his present address, if different from that shown in the application form, and a space for his signature. The commissioner of licenses shall cause the application form to be filled in with the name and address of the owner; the description of the motor vehicle; the license tax and fees to be-

come due on October 1 succeeding, as shown on the license registration and transfer records in his office; and the amount of ad valorem taxes on said motor vehicle for the preceding tax year as provided by Title 51, Section 704, Code of Alabama (1940) as amended. The commissioner of licenses shall thereupon cause the application, so filled in, to be mailed to the owner of the motor vehicle at his address shown thereon, or at the address to which such owner requests that the application form be mailed. The owner of the motor vehicle, if he is still the owner of the motor vehicle and if he desires to pay his motor vehicle ad valorem taxes and license tax and secure his motor vehicle registration tag by mail, shall sign the application form, indicating thereon any change of address, and return the same by mail together with his remittance for ad valorem taxes, license taxes, and fees as shown thereon to the commissioner of licenses. Money orders and checks for the payment of such taxes and fee shall be made payable to the commissioner of licenses. Upon receipt of the signed application form and the remittance for the amount properly due for ad valorem taxes, license tax, and fees, the commissioner of licenses shall thereupon mail a receipt for such taxes and fees and the license tag for his motor vehicle to the owner thereof. When an application is returned to the commissioner of licenses, unsigned, or when less than the correct amount of the taxes and fees due therefor has been paid, due to a change of address or other causes, such application shall be returned to the owner for correction or for signature. A return of such application or remittance shall not, however, extend the time within which taxes may be paid or a tag secured. If more than the correct amount of taxes and fees is received, the commissioner of licenses shall retain the correct amount of taxes and fees and return the excess together with the tag for the motor vehicle.

Section 9. All applications for motor vehicle tags by mail and the correct amount of taxes and fees shall be received by the commissioner of licenses on or before November 10th preceding November 15th, the final date on which the motor vehicle license tag is payable without penalty, and the commissioner of licenses shall mail such tag on or before November 14th preceding such November 15th. The commissioner of licenses shall charge and collect a fee of \$1.00 for each motor vehicle license tag issued by mail, in addition to all fees prescribed by law. Such additional fee shall be paid by the owner of the motor vehicle with his mailed request for license tags, and such fees collected by the commissioner of licenses shall be paid into the general fund of the county. The procedure authorized by this Act for the payment of ad valorem taxes and motor vehicle license taxes and the issuance of license tags is optional, additional, and alternative to the procedure now provided by law. Each owner of a motor vehicle shall continue to have the right to pay taxes and to receive his tag in person without the payment of the additional fee hereinabove provided. All the forms necessary in the administration of this Act shall be furnished by the State Department of Revenue.

Section 10. The purchaser of an automobile shall within ten days after transfer of title to him, have the transfer of title made on the records contained in the office of the commissioner of licenses at a fee of \$1.00; should the purchaser fail to do so he shall at the time his automobile is assessed for the preceding year pay to the commissioner of licenses the sum of \$5.00 as a penalty; this penalty shall be remitted by the commissioner of licenses to the county general fund.

Section 11. All duties now or which may hereafter be required by law of the judge of probate with reference to the issuance of all licenses, except marriage licenses, shall be performed by the commissioner of licenses and the

commissioner of licenses shall be entitled to collect all fees, commissions, charges, penalties, and allowances now or hereafter fixed by law for the judge of probate to collect in connection with performance of said duties, and the judge of probate is relieved from any or all duties, liabilities and responsibilities with reference thereto. The fees, commissions, charges, penalties and allowances collected by the commissioner of licenses in connection with the performance of the duties hereinabove enumerated shall be distributed as now, or as hereinafter, provided by law, either general or local. All records in the custody of the judge of probate of a county relating to the duties herein imposed on the commissioner of licenses shall, upon the effective date of this Act in said county as hereinafter provided, be delivered to the commissioner of licenses of said county.

Section 12. The state comptroller is hereby required to furnish to the commissioner of licenses all books, records, and blanks, now or hereafter required by law to be furnished to the judge of probate in connection with the performance of his duties in the issuance or collection of licenses or privilege taxes.

Section 13. All duties required by law of the probate judge with reference to the assessment and collection of ad valorem taxes on automobiles, trucks, or other motor vehicles, shall be performed and exercised by the commissioner of licenses, and the probate judge of the county are hereby relieved of all duties and responsibilities with reference thereto. The commissioner of licenses shall collect for the assessment and collection of state and county ad valorem taxes on motor vehicles the same fees, charges, penalties and commissions fixed by law to be paid to the probate judge, for the same services. The fees, charges, penalties and commissions collected by the commissioner of licenses shall be distributed as now, or as hereinafter, provided by law, either general or local. All records in the custody of the probate judge of the county relating to the duties herein imposed on the commissioner of licenses shall, upon the effective date of this Act in said county as hereinafter provided, be delivered to the commissioner of licenses of said county.

Section 14. The State Department of Revenue shall furnish the commissioner of licenses all forms and blanks necessary in connection with the performance of his duties in the assessment and collection of ad valorem taxes on automobiles, trucks, or other motor vehicles.

Section 15. On and after the termination of the services of any county license inspector now in office in any county in which this Act applies, the commissioner of licenses shall perform all duties required by law of a county license inspector and no county license inspector shall be appointed as authorized in Section 835, Title 51, Code of Alabama, 1940 as amended. The commissioner of licenses, his chief clerk and such other assistants as are duly authorized by him shall have authority and execute all citations, writs, and other processes that a county license inspector is authorized to execute all the duties imposed upon a county license inspector is authorized by Section 335, Title 51, Code of Alabama, 1940, as amended shall be performed by the commissioner of licenses or his authorized agents. While performing the duties of a county license inspector required by this Act the commissioner of licenses shall be entitled to receive all the fees, citations, costs, penalties, commissions and other charges now or hereafter authorized by law to be collected by a county license inspector, and he shall also be entitled to receive the fifteen per cent penalty now required to be paid by delinquents on taking out licenses, and any other penalties that

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may hereafter be imposed upon the delinquent license taxpayers and all such monies collected shall be paid into the general fund of the county.

Section 16. It is the intent and purpose of this Act to provide a more convenient and efficient method of issuing licenses and to render a better service to the people of such counties, by incorporating in one county office the assessment and collection of all taxes on motor vehicles.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws which conflict with this Act are repealed.

Section 19. **EFFECTIVE DATE OF ACT BECOMING LAW—**

(a) This act shall become effective after the last day of March 1974, and at this time the commissioner of licenses shall have access to all licenses except marriage licenses.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, July 2, 6, 9, and 16, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 19th day of July, 1973.

B. WALLACE MILLER,
Notary Public.

By Mr. McCorquodale:

H. 1672 To amend Section 3 of Act No. 96, H. 17, approved 1971, Regular Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

Ways and Means.

By Messrs. McCorquodale and Mims:

H. 1673. To provide foreign medical graduates employed by the State Board of Corrections, the Alabama Department of Mental Health or other public institutions or hospitals in the state with an alternative method by which to become certified to practice medicine in the state.

Health.

By Mr. Fite:

H. 1674. To authorize and empower the State Commissioner of Revenue to enter into reciprocal agreements in regard to the withholding and payment of state income taxes by the personnel of interstate common carriers.

State Administration.

By Messrs. Merrill, Waggoner, Timmons and Wallace:

H. 1675. To amend further Act No. 78, S. 72 of the Special Session of 1961, which regulates the teaching and practice of cosmetology, so as to change the number of hours required for beauty school students, providing that students in beauty schools may work in beauty shops under certain conditions, changing the time a managing cosmetologist is required to work from 2 years to 1 year, changing the limitation on the number of days of compensation payable to members of the cosmetology board, facilitating appeal of decisions of the board without the necessity of trial de novo, repealing section of law exempting Jefferson County and providing for a board member from Jefferson County.

Judiciary.

By Messrs. McCorquodale and Mims:

H. 1676. Relating to interstate parole and probation hearing procedures; providing for the holding of such hearings in this state and the rights of parolees or probationers thereunder.

State Administration.

By Messrs. McCorquodale, Wynot, Cottingham, Gafford, Jackson, Agee, Wise and Lang:

H. 1677. To amend Section 29, Title 11, Code of Alabama, 1940, relating to the fees of probate judges.

Ways and Means.

By Mr. Lyons:

H. 1678. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Local Legislation No. 3.

By Messrs. Hardin and Edwards:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

Local Legislation No. 1.

By Messrs. Mims and Warren (With Notice and Proof):

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the

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said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1680:

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the town of Excel, Monroe County, Alabama, be and the same are hereby altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the town of Excel and in addition thereto the following described territory to wit:

Beginning at the Northwest corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, T5N, R7E, being the Northeast corner of the existing corporate limits of Excel, Alabama; thence East $\frac{1}{8}$ mi. to the Northeast corner of the West half of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence South 3-16 mi. to the North line of the S $\frac{1}{2}$ of S $\frac{1}{2}$ of S $\frac{1}{2}$ of the Northeast quarter of Section 2, T5N, R7E; thence East $\frac{3}{8}$ mi. to the East line of Section 2; thence South $\frac{1}{8}$ mi. to the South line of the N $\frac{1}{2}$ of N $\frac{1}{2}$ of N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 2, thence West $\frac{1}{2}$ mi. to the West line of the E $\frac{1}{2}$ of Sec. 2, being the East line of the existing corporate limits of Excel, Alabama; thence North 5-16 mi. to the point of beginning, embracing an area of 55 acres, more or less.

Also: Beginning at the Northeast corner of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3, T5N, R7E, being the Southwest corner of the existing corporate limits of Excel, Alabama, thence West $\frac{1}{4}$ mi. to the West line of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3; thence South $\frac{3}{8}$ mi. to the Southwest corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T5N, R7E; thence East $\frac{1}{2}$ mi. to the East line of Sec. 10; thence North $\frac{3}{8}$ mi. to the Northeast corner of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 3, T5N, R7E, and being the South line of the existing corporate limits of Excel, Alabama; thence West $\frac{1}{4}$ mi. to the point of beginning, and embracing an area of approximately 120 acres.

The above described parcels are intended to be a description of and to embrace the West half (W $\frac{1}{2}$) of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$; and the N $\frac{1}{2}$ of N $\frac{1}{2}$ of the SE $\frac{1}{4}$, all in Section 2, T5N, R7E. Also, the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 3, T5N, R7E and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 10, T5N, R7E, all in Monroe County, Alabama.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
MONROE COUNTY

Before me, Frances Reid Nettles, a Notary Public in and for said County in said state personally appeared Bill Stewart, who is known to me, and who, being duly sworn, deposes and says:

That he is Publisher of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the above was published in said newspaper once a week for four successive weeks, said notice appearing in the following issues: June 14, 21, 28, and July 5, 1973, inclusive.

BILL STEWART.

Sworn to and subscribed before me this day of July 13th, 1973.

FRANCES REID NETTLES,
Notary Public,

By Messrs. Cross and Carter:

H. 1681. Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Local Legislation No. 1.

By Messrs. Harris, Barron, Hobbie and Jones:

H. 1682. To transfer the historic property known as the Powder Magazine owned by the Finance Department of the State of Alabama to the City of Montgomery.

Judiciary.

By Mr. Boutwell:

H. 1683. To provide for the establishment of fair labor standards in the State of Alabama by regulating wages and hours for employees in the State of Alabama, delegating to the Director of Labor the duty of administering the Act and providing for its enforcement.

Commerce and Transportation.

By Messrs. Lutz, King, Grainger and Hale (With Notice and Proof):

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Local Legislation No. 4.

Notice and Proof H. 1684:

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that at the 1973 regular session of the Legislature of Alabama, a bill, substantially as follows, will be introduced and application for its passage and enactment will be made.

A BILL
TO BE ENTITLED
AN ACT

To alter the boundary lines of the city of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Huntsville, Madison County, Alabama, be, and the same are altered or rearranged so as to include within the corporate limits of said City of Huntsville all territory now within such corporate limits and also certain other territory in Madison County, Alabama, such said other certain territory is more particularly described as being all of the territory lying within the County of Madison, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

All that part of Sections 3, 9, 10, 15, 16, 21, 22, 23, 26, 27, and 28, Township 5 South, Range 1 East, Madison County, Alabama, particularly described as beginning at the center of the West boundary of Section 3, Township 5 South, Range 1 East; thence, east 2640 feet to the center of Section 3, Township 5 South, Range 1 East; thence, south 3960 feet to the center of the west boundary to the Northeast quarter of Section 10, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the northeast quarter of Section 10, Township 5 South, Range 1 East; thence, south 10,560 feet to the center of the northeast quarter of Section 22, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the east boundary of the northeast quarter of Section 22, Township 5 South, Range 1 East; thence, south 1320 feet to the center of the east boundary of Section 22, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the north boundary of the southwest quarter of Section 23, Township 5 South, Range 1 East; thence, south 1980 feet to the center of the west boundary of the southeast quarter of the southwest quarter of Section 23, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the east boundary of the southeast quarter of the southwest quarter of Section 23, Township 5 South, Range 1 East; thence, south 3300 feet to the center of Section 26, Township 5 South, Range 1 East; thence, west 1980 feet to the center of the south boundary of the southwest quarter of the northwest quarter of Section 26, Township 5 South, Range 1 East; thence, north 1320 feet to the center of the north boundary of the southwest quarter of the northwest quarter of Section 26, Township 5 South, Range 1 East; thence, west 4620 feet to the center of the northwest quarter of Section 27, Township 5 South, Range 1 East; thence, north 1320 feet to the center of the north boundary of the northwest quarter of Section 27, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the north boundary of Section 27, Township 5 South, Range 1 East; thence, north 2640 feet to the center of Section 22, Township 5 South, Range 1 East; thence, west 1980 feet to the center of the north boundary of the northwest quarter of the southwest quarter of Section 22, Township 5 South, Range 1 East;

thence, south 1320 feet to the center of the south boundary of the northwest quarter of the southwest quarter of Section 22, Township 5 South, Range 1 East; thence, west 2640 feet to the center of the north boundary of the southwest quarter of the southeast quarter of Section 21, Township 5 South, Range 1 East; thence, south 1320 feet to the center of the south boundary of the southwest quarter of the southeast quarter of Section 21, Township 5 South, Range 1 East; thence, west 660 feet to the center of the north boundary of Section 28, Township 5 South, Range 1 East; thence, south 1320 feet to the center of the east boundary of the northwest quarter of Section 28, Township 5 South, Range 1 East; thence, west 1320 feet to the center of the northwest quarter of Section 28, Township 5 South, Range 1 East; thence, north 3960 feet to the center of the south boundary of the northwest quarter of Section 21, Township 5 South, Range 1 East; thence, east 1320 feet to the center of Section 21, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the north boundary of Section 21, Township 5 South, Range 1 East; thence, west 1980 feet to the center of the south boundary of the southwest quarter of the southwest quarter of Section 16, Township 5 South, Range 1 East, which point is further described as being on the present corporate boundary of the City of Huntsville, Alabama; thence, along the eastern boundary of the corporate limits of the City of Huntsville, Alabama, to the place of beginning as follows: north 2640 feet to the center of the north boundary of the northwest quarter of the southwest quarter of Section 16, Township 5 South, Range 1 East; thence, east 660 feet to the center of the south boundary of the northwest quarter of Section 16, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the south boundary of the southwest quarter of Section 9, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the south boundary of Section 9, Township 5 South, Range 1 East; thence, north 2640 feet to the center of Section 9, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the south boundary of the northeast quarter of Section 9, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the north boundary of the northeast quarter of Section 9, Township 5 South, Range 1 East; thence, east 1320 feet to the southwest corner of Section 3, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the west boundary of Section 3, Township 5 South, Range 1 East, the place of beginning and containing 3100 acres more or less.

Section 2. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks

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without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27 and July 4, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me July 23, 1973.

HARTWELL B. LUTZ,
Notary Public.

By Messrs. Lutz, King, Hearn, Hale and Grainger (With Notice and Proof):

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Local Legislation No. 4.

Notice and Proof H. 1685:

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that at the 1973 regular session of the Legislature of Alabama, a bill, substantially as follows, will be introduced and application for its passage and enactment will be made:

A BILL
TO BE ENTITLED
AN ACT

Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who has been committed to the County Jail or to any City Jail in Madison County under a criminal sentence may be released therefrom at the discretion of the sentencing court, either on its own motion or upon the motion of the defendant, at the time of sentence or at any time during the term of sentence, for the purpose of obtaining and working at gainful employment or for such other purpose as the court may deem conducive to his rehabilitation, for such time or intervals of time and under such terms and conditions as the court may order. Any part of a day spent outside of jail under such a release order shall be counted as a full day toward the serving of the sentence unless otherwise provided by the court. If a person violates the terms and conditions laid down for his conduct, custody and employment, he shall be returned to the sentencing court. The court may then require that the balance of the person's sentence be spent in actual confinement and may cancel any earned reduction of his term.

Section 2. Any person who has been sentenced to the Madison County jail or any cities' jail within Madison County, and who has been ordered released under the provisions of Section 1 hereof, may at the time of sentence or at any time while any part thereof remains unserved, be required by the sentencing court to report to the jail to which he has been sentenced to be incarcerated during week-ends or at such times or intervals of time as the court may direct. Time so spent in said jail shall be deducted from the term of the

sentence. Any part of a day spent in the institution shall count as a full day toward the sentence. In no event shall the number of days confinement exceed the number of days in the original sentence.

Section 3. Any person released under Section 1 of this Act, or ordered confined under Section 2, who wilfully fails to report for confinement as ordered shall be deemed to have escaped from the institution to which he has been sentenced and upon conviction shall be subject to the punishment provided for escape therefrom.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27, and July 4, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me July 23, 1973.

HARTWELL B. LUTZ,
Notary Public.

By Mr. Grey (D) (With Notice and Proof):

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

Local Legislation No. 1.

Notice and Proof H. 1686:

STATE OF ALABAMA COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

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A BILL
TO BE ENTITLED
AN ACT

Relating to Fayette County; further regulating the compensation of members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education in Fayette County shall each be paid from the public school funds of the county the sum of twenty dollars per meeting of the board. Provided such members shall not be paid for more than twenty-four (24) days in any one year. In addition to such compensation, members of the board shall be paid their actual traveling and hotel expense incurred in attending meetings of the board which expenses shall be paid in the manner provided for payment of compensation to teachers in Fayette County.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed, and Act No. 608, H. 1119, Regular Session 1965, (Acts 1965, p. 1123) is specifically repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, 14, 21, and 28, all in the year 1973.

JACK BLACK.

Sworn to and subscribed before me July 25, 1973.

ELOISE THOMLEY,
Notary Public.

By Mr. Grey (D) (With Notice and Proof):

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

Notice and Proof H. 1687:

Local Legislation No. 1.

STATE OF ALABAMA
COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual compensation of the superintendent of education of Fayette County shall hereinafter be fixed by the County Board of Education, and shall not exceed the sum of eighteen thousand five hundred dollars (\$18,500) per annum. Such compensation shall be paid at the same time and in the same manner as now prescribed by law.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act shall become effective on June 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

JACK BLACK,
Publisher.

Sworn to and subscribed before me July 20, 1973.

ELOISE F. THOMLEY,
Notary Public.

By Mr. Timmons:

H. 1688. To further amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Public Welfare.

By Messrs. Slate and Cauthen:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the

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most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Local Legislation No. 1.

By Messrs. Slate and Cauthen:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

Local Legislation No. 1.

By Messrs. Slate and Cauthen:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

Local Legislation No. 1.

By Messrs. Slate and Cauthen:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

Local Legislation No. 1.

By Messrs. Slate and Cauthen:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

Local Legislation No. 1.

By Messrs. Slate and Cauthen:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Slate and Cauthen:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

Local Legislation No. 1.

By Messrs. Downing, Fite and Stokes:

H. 1696. Amending Title 51, Section 787, Code of Alabama 1940, as amended, which exempted the use tax on materials used in constructing modular buildings outside of the state, so as to provide that such sales are hereinafter subject to the tax.

State Administration.

By Mr. Headley (With Notice and Proof):

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Local Legislation No. 1.

Notice and Proof H. 1697:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), is amended to read as follows:

"Section 3. That the county commission of Chilton County, Alabama, is hereby authorized and required to draw warrants in favor of the Deputy Register of the Circuit Court, in Equity, payable out of the General Fund of said county, upon proper claim being made."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON

Personally appeared before the undersigned, Notary Public in and for said county and state, Tommy Patterson, Publisher of the Central Alabama Independent Advertiser, a newspaper published at Clanton, County of Chil-

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ton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of June 27, July 4, 11, and 18, 1973.

TOMMY M. PATTERSON,
Publisher.

Subscribed and sworn to before me this 24th day of July, 1973.

PLUMA B. MUNCY,
Notary Public.

By Messrs. Benton and Kinsey:

H. 1698. To amend Sections 2, 4, 6, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

Local Legislation No. 1.

By Mr. Hardin:

H. 1699. To amend Sections 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to provide for a State Parks Concession Commission; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Conservation.

By Messrs. Turnham, Hobbie, Agee, Brassell and Adams:

H. 1700. To amend the Title and Sections 4, 6, and 8 of Act No. 87, S. 40, Third Special Session 1971 (Acts 1971, p. 4299), which relates to certain schools and/or courses of instruction publicized, sold, offered for sale and/or administered to residents of this State; prescribing certain requirements relative to the operations of schools and students; and providing exceptions to the application of the act, so as to transfer certain responsibilities from the State Board of Education to the State Department of Education; to clarify certain definitions and exemptions; to provide further for the security bond required for certain schools coming under the act and for the advisory board to advise in the administration of the act.

Education.

By Messrs. Hill, Hale, Turner, Hobbie, Lutz, King and Flippo:

H. 1701. To establish a state ethics commission and to provide a state ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony.

Judiciary.

By Messrs. Drake, McDonald, St. John, Carter and Smith (P):

H. 1702. To amend Sections 10, 12, 15, 21 and 23 of Act No. 351, H. 285, Regular Session 1963 (Acts 1963, p. 844) to provide an alternate method of collecting assessments for the promotion of the production, marketing and use of eggs and poultry products.

Agriculture.

By Mr. Turnham:

H. 1703. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Lee County; to the consolidation of the offices held by the circuit clerk and register in equity and to fix and regulate the costs and charges of courts.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Cook and Lybrand:

**S. J. R. 77. COMMENDING MR. JAMES HAYWOOD AND
THANKING HIM AND OTHERS FOR THE JACKSONVILLE STATE
UNIVERSITY LUAU**

WHEREAS friends and alumni of Jacksonville State University most graciously entertained us at a delightful luau last evening at the Governor's House Motel where the preparation of the sumptuous repast was under the supervision of Mr. James Haywood, Director of food service at Jacksonville State; and

WHEREAS Mr. Haywood has deservedly earned a national reputation for his luaus, and all those in attendance at last night's party will readily attest to his skill in providing the widest variety of most delicious dishes which were beautifully arranged in abundant supply for the hundreds of guests; now therefore

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
HOUSES THEREOF CONCURRING,** That we wish to commend Mr. Haywood for his culinary art and thank him and all those who made this happy occasion possible.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mr. Haywood and to the board of trustees of Jacksonville State University.

McDOWELL LEE,
Secretary.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 77, on the Clerk's desk for one legislative day.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 163. IN APPRECIATION OF THE SERVICE OF MR. O. C. HELMS UPON HIS RETIREMENT

WHEREAS Mr. O. C. Helms, the Clarke County Extension Chairman retired June 30, 1973 after forty years as county agent; and

WHEREAS Mr. Helms first came to Clarke County as assistant county agent in June 1930 and succeeded Mr. Charles Hollingsworth as county agent in 1933, and during the New Deal Era headed the Agricultural Adjustment Administration and Farm Rehabilitation Administration programs in Clarke County, began seed loans and the training and supervision of some thirty or more farm committees consisting of 90 to 100 farmers, and worked with other emergency measures during the depression of the 1930's and assisted with educational and organizational efforts leading to the development of several service agencies including: Clarke County Exchange (a farm supply co-op.), Clarke County Stock Yards, REA Cold Storage and Locker Plant, Area and County Soil Conservation Districts, Clarke County Cattle-men's Association, and Clarke County Cotton Improvement Association, and operated and supervised the State Demonstration Farm at Jackson; and

WHEREAS Mr. Helms has received many awards and recognitions for outstanding work during his career including The Distinguished Service Award presented by the National Association of County Agricultural Agents, and being elected President of the Association of County Agricultural Agents in 1968; and

WHEREAS Mr. Helms has not limited his work to being County Extension Chairman. He has been and still is very active in a number of projects and organizations. He is President of the First Bank of Grove Hill. Prior to that, having served as Vice-President of the bank since it was chartered in 1936, and was one of the original directors elected when the bank was chartered; also having served as Chairman of the Clarke County Chapter of the American Red Cross for 12 years and on the Board of Directors for 20 years, the Board of Directors and President of the Grove Hill Civic Club, the Representative of the Mobile Area Council, Boy Scouts of America, a member of the Board of Deacons and has taught Sunday School in the Grove Hill Baptist Church for a number of years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That Mr. O. C. Helms is hereby commended for his years of loyal and distinguished service to his profession, the people of his community and this state and that the Legislature expresses its apprecia-

tion to Mr. Helms for the dedicated work and service performed by such an outstanding citizen of this state during his honored career, and that the Clerk of the House cause a copy of this resolution to be sent to Mr. Helms.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 163, on the Clerk's desk for one legislative Day.

REPORT OF COMMITTEE ON CONFERENCE ON H. 524

We, the committee on conference, appointed to reconcile the disagreement of the two Houses concerning the Senate's amendment to H. B. 524, have met in conference, considered the matter in conference, and have agreed to the following report: that the Senate recede from its amendment and that both Houses concur in and adopt the following substitute.

HUGH MERRILL

RAY BURGESS

DONALD W. STEWART

Conferees on the part of the House

JOE FINE

BOB HARRIS

FRED ROY LYBRAND

Conferees on the part of the Senate

Conference Committee's Substitute for H. B. 524

A BILL TO BE ENTITLED AN ACT

To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

Be It Enacted by the Legislature of Alabama:

Section 1. Article I, Section 1.07, Article III, Sections 3.01, 3.02, 3.04, 3.05, 3.06, 3.09, 3.18 and 3.20, Article V, Sections 5.01, 5.05 and 5.06 and Article VI, Section 6.01 of the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, is amended further to read as follows:

Article I. Adoption of Council-Manager Form of Government. Election and Term of Council.

"1.07. Election of first council: term of office.—Within five days of the date of his receipt of the certificate of adoption the probate judge with whom the certificate was filed shall call an election to be held on the first Tuesday in September after the first full month of July following the adoption of this Act. The expenses of this election shall be paid by the city. Before calling such election the probate judge shall cause the city to be divided into five

wards containing as nearly equal number of people as possible. Candidates shall qualify in the manner prescribed in Section 3.02 hereof and shall have the qualifications and eligibility set forth in Sections 3.03 and 3.04 hereof. Each candidate shall announce the ward from which he desires to become a candidate. Each voter in the election may cast one vote for a candidate from each of the wards. Any candidate receiving a majority of the total votes cast for the candidates from the ward from which he is a candidate shall be elected as the councilman from his ward. In the event that any or all of the wards shall not have a candidate who received such a majority in the said election then as to such ward or wards there shall be a run-off election to be held two weeks after the first election. In the run-off election only those two candidates from each ward who receive the largest vote in the first election shall be eligible in the run-off election, and only these two shall have their names placed on the ballot for the run-off election. Any candidate receiving a majority of the total votes cast in the run-off election for the candidates from the ward from which he is a candidate shall be elected as the councilman from his ward. The councilmen so elected shall take office on the first Monday in October following the election. Each councilman shall hold office for four years, except those elected in 1973, but shall serve until his successor shall have qualified. A councilman may succeed himself in office.

“Article III. The Council.

“3.01. Number, election, term.—The council shall have five to seven members with one elected from each ward but each shall be elected by all of the voters of the city. The election for the year 1973 shall be held on the 4th day of September, 1973. For the election to be held on the 4th day of September, 1973, the Mayor shall give 45 days notice of said election. Any election of councilmen held after the year 1973, shall be held and conducted, at the same times and in the same manner as provided by law in respect to municipal elections in cities of this state which have a population of its size according to the latest federal decennial census for cities not organized under a commission form of government. All municipal officers of the city shall have the same duties and responsibilities as they have with respect to said municipal elections. Said officer or officers shall issue any orders necessary to cause all election requirements to be met. Each councilman, except those elected in 1973, shall hold office for four years, but shall serve until his successor shall have qualified. Each councilman elected in 1973 shall serve until his successor to be elected in 1976, shall assume the duties of his office. A councilman may succeed himself in office. Each councilman shall reside within the limits of his ward during the term of his office and if any councilman shall remove from within the limits of his ward his office shall become vacant. Notwithstanding any provision of any other statute or statutes there shall be no requirement, in the 1973 election, or any future election of the council, that an elector must vote only in the ward of his residence. The election of 1973 shall be held in the same manner as is prescribed for the election of the first council under Section 1.07 of this Act.

“3.02 Statement of candidacy. For the election to be held in 1973 the following provisions of this section shall be applicable notwithstanding any provisions of any other law in respect to municipal elections. Any person desiring to become a candidate at any election for the office of councilman may become such candidate by filing in the office of the judge of probate of the county in which such city is situated, a statement in writing of such candidacy, accompanied by an affidavit taken and certified by such judge of probate

or by a notary public that such person is duly qualified to hold the office for which he desires to be a candidate. Such statement shall be filed at least thirty days before the day set for such election and shall be in substantially the following form:

**STATE OF ALABAMA
COUNTY OF**

I, the undersigned, being first duly sworn, depose and say that I am a citizen of the City of _____, that I desire to become a candidate from the _____ ward for the office of councilman in said City at the election for said office to be held on the _____ day of _____, 19____; and I am duly qualified to hold said office if elected thereto and I hereby request that my name be printed upon the official ballot at said election.

Signature of candidate

Typed name of candidate

Subscribed and sworn to before me by said _____ on
this _____ day of _____, 19____.

Style of Officer

Filed in my office on this _____ day of _____, 19____.

Judge of Probate

Said statement shall be accompanied by a petition signed by not less than, nor more than ten electors, who shall be designated as said candidate's sponsors. Sponsors may but need not reside within the ward in which the candidate resides. No elector shall sign more than one such petition, and should an elector do so, he shall be guilty of a misdemeanor. With each signature shall be stated the place of address of each sponsor. Nominating petitions shall be in substantially the following form:

"We, the undersigned ten electors of the City of _____, hereby nominate and sponsor _____, whose residence is _____, as a candidate for the office of councilman from the ward in the election to be held on the _____ day of _____, 19____; and we individually certify that our names have appeared on the rolls of registered voters of this City within the last year, that we are qualified to vote for a candidate for the council and that we have not signed any other nominating petition for that office. We further state that we know said _____ to possess the qualifications necessary for said office, and to be in our judgment a fit and proper person to hold said office. Witness our hands on this the _____ day of _____, 19____.

For all elections after 1973 candidates shall file statements of candidacy at the same times and in the same manner as provided by law in respect to municipal elections in cities of this state which have a population of its size according to the latest federal decennial census for cities not organized under a commission form of government.

"3.04. Eligibility.—Any councilman shall be a qualified elector of the City, and at least twenty-one years of age at the time of his election. He shall hold no other elected or paid public office except as a member of the National Guard or naval or military reserve. He shall not have been convicted of

any crime involving moral turpitude. If any councilman elect or councilman serving as such shall be convicted of a crime involving moral turpitude, or shall enter into any other elected or paid public office except as a member of the National Guard or naval or military reserve, his office shall immediately become vacant.

"3.05. Compensation.—Each councilman shall receive as compensation for his services as such the sum of two hundred fifty dollars per month or each partial month that he serves as councilman.

"3.06. Presiding officer: mayor.—The council shall elect an officer of the City who shall have the title of mayor. He shall preside at meetings of the council, and shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The council shall also elect an assistant mayor who shall act as mayor during the absence or disability of the mayor. The mayor and assistant mayor when so elected shall hold their respective offices until the next council takes office; provided that if the mayor or assistant mayor or both shall cease to be a member of the council his or their offices as such mayor or assistant mayor shall become vacant. If a vacancy shall occur in the office of mayor, the council shall elect a successor for the completion of the unexpired term. Both the mayor and the assistant mayor shall be elected from among the councilmen. The mayor shall receive as compensation for his services, in addition to the amount he receives as councilman, the sum of two hundred fifty dollars per month or each partial month that he serves as mayor.

"3.09. Removal of city manager.—The council shall appoint the city manager for an indefinite term, but the council may remove him at any time by a majority vote of the whole qualified membership of the council.

"3.18. Granting of franchises.—No ordinance, granting to any person, firm or corporation any franchise, lease or right to use the streets, public highways, thoroughfares, or public property of the City shall take effect and be enforced until thirty days after final enactment of same by the council and publication of said ordinance as provided by law, which publication shall be made at the expense of the person, firm or corporation applying for said grant.

"3.20. Examination of books and publication of accounts.—The council shall each month make available in the office of the city manager a detailed statement of all receipts and expenses of the City, and a summary of its proceedings during the preceding month. At the end of each year, the council shall cause a full and complete examination of all the books and accounts of the City to be made by a qualified public accountant, and shall cause the result of such examination to be published in pamphlet form, copies of which shall be placed in the office of the city manager, the office of the city clerk, and in the public libraries, to be open for inspection by all persons. Such examination shall not be made more than three years in succession by the same accountant. The same accountant, for the purposes of this section, shall include the firm of such accountant and all members of the said firm.

"Article V. Budget.

"5.01. Fiscal year. The fiscal year of the city government shall begin on the first day of each October and shall end on the last day of each September.

Such fiscal year shall also constitute the budget and accounting year. As used in this Act, the term 'budget year' shall mean the fiscal year for which any particular budget is adopted and in which it is administered.

"5.05. Public hearing on budget proposal.—At the time and place specified in the advertisement or at any time at which the public hearing may from time to time be adjourned, the council shall hold a public hearing on the budget proposal, at which time all interested persons shall be given an opportunity to be heard, for or against the estimates or any item thereof.

"5.06. Further consideration of budget proposal.—After the conclusion of such public hearing the council may insert new items or may increase or decrease the items of the budget proposal, except items in proposed expenditures, fixed by law or prescribed by sub-sections (a), (b), (c), (d), (e), (f), (g), (h) and (i) or Section 5.25. The council may not vary the titles, descriptions or conditions of administration specified in the budget proposal. Before inserting any new item or increasing or decreasing any item of appropriation, it must cause to be published, in the manner provided in Section 5.04 of this Act, a notice setting forth the nature and amount of the proposed increases or decreases and fixing a place and date, not less than five days after publication, at which the council will hold a public hearing thereon. The public hearing shall be held at the time and place specified in the notice or at any time and place at which such public hearing shall from time to time be adjourned.

"Article VI. Department of Finance.

"6.01. Director of Finance.—There shall be a department of finance, the head of which shall be the director of finance, who shall, with the advice and consent of the council, be appointed by the city manager, subject to the provisions of any merit or civil service system applicable to such city."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Merrill, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 524, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Goodwin	McCorquodale
Adams	Connell	Grainger	McMillan
Adwell	Coshatt	Grey (D)	Merrill
Agee	Cottingham	Hardin	Nettles
Barkett	Crawford	Harris	O'Daniel
Barron	Cross	Hobbie	Perloff
Boles	Dill	Hughes	Porter
Boutwell	Doss	Jackson	Pruitt
Bowers	Downing	King	Reid (R)
Burgess	Easters	Lang	Reynolds
Callahan	Edwards	Lutz	St. John
Carnes	Ellis	McBride	Slate
Carter	Fite	McCluskey	Smith (K)

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Smith (P)	Therrell	Waldrop	Wise
Stewart	Turner	Wallace	Wynot
Stokes	Waggoner	Weeks	

—63

And the bill:

H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Pruitt
Adams	Cross	Hughes	Reid (R)
Adwell	Dill	Jackson	St. John
Barkett	Doss	King	Slate
Barron	Downing	Lang	Smith (K)
Benton	Drake	Lutz	Smith (P)
Boles	Easters	McBride	Stewart
Boutwell	Edwards	McCluskey	Stokes
Bowers	Ellis	McCorquodale	Therrell
Burgess	Erdreich	McMillan	Turner
Callahan	Fite	Merrill	Waggoner
Carnes	Goodwin	Naramore	Waldrop
Carter	Grainger	Nettles	Wallace
Chesnut	Grey (D)	O'Daniel	Weeks
Connell	Hale	Owens	Wise
Coshatt	Hardin	Perloff	Wynot
Cottingham	Harris	Porter	

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REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 307. To repeal Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which act provides for the incorporation and management of an authority for the purpose of leasing, owning or acquiring and operating coliseums, parks, exhibits, fairgrounds and other facilities in all counties having populations of not less than 37,000 nor more than 41,000, according to the most recent federal decennial census.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having

been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 151. COMMENDING FAMED SURGEON, DOCTOR J. GARBER GALBRAITH, FOR HIS OUTSTANDING CONTRIBUTIONS TO THE UNIVERSITY MEDICAL CENTER IN BIRMINGHAM.

Also:

H. J. R. 152. MOURNING THE DEATH OF J. A. WALKER, SR.

Also:

H. J. R. 153. MOURNING THE DEATH OF PAUL R. BRUNSON.

Also:

H. J. R. 154. HONORING UNIVERSITY OF ALABAMA POLICE CHIEF ALLEN O. RAYFIELD

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Was taken up.

H. 955 POSTPONED

On motion of Mr. Naramore, the bill, H. 955, was postponed to the twenty-fourth legislative day.

And the bill:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal

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decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1006. To provide further for the selection of textbooks and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Boles	Casey	Crowe
Adams	Boutwell	Cauthen	Culver
Adwell	Bowers	Chesnut	Doss
Agee	Brassell	Connell	Downing
Bank	Burgess	Coshatt	Drake
Barkett	Callahan	Cottingham	Easters
Barron	Carnes	Crawford	Edwards
Benton	Carter	Cross	Ellis

Erdreich	Jones (F)	Naramore	Snell
Falkenburg	King	Nettles	Stewart
Fite	Kinsey	O'Daniel	Stokes
Flippo	Lang	Owens	Stubbs
Gafford	Lutz	Perloff	Taylor
Goodwin	McBride	Porter	Therrell
Grainger	McCluskey	Pruitt	Turner
Gray (F)	McCorquodale	Reed (T)	Turnham
Grey (D)	McDonald	Reid (R)	Waggoner
Hale	McMillan	Reynolds	Waldrop
Hardin	McNair	Roberts	Wallace
Harris	Mathews	Robertson	Warren
Headley	May	St. John	Weeks
Hill	Meeks	Slate	Wise
Hobbie	Merrill	Smith (K)	Wood
Hughes	Mims	Smith (P)	Wynot
Jackson			

—97

And the bill:

H. 1038. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial

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Census: to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1326. (With Amendment): To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Was taken up.

H. 1326 POSTPONED

On motion of Mr. Edwards, the bill, H. 1326 with pending amendment, was postponed to the twenty-fourth legislative day.

And the bill:

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Fite	Kinsey
Adams	Chesnut	Flippo	Lang
Adwell	Connell	Gafford	Lutz
Agee	Coshatt	Goodwin	McBride
Bank	Cottingham	Grainger	McCluskey
Barkett	Crawford	Gray (F)	McCorquodale
Barron	Cross	Grey (D)	McDonald
Benton	Crowe	Hale	McMillan
Boles	Culver	Hardin	McNair
Boutwell	Doss	Harris	Mathews
Bowers	Downing	Headley	May
Brassell	Drake	Hill	Meeks
Burgess	Easters	Hobbie	Merrill
Callahan	Edwards	Hughes	Mims
Carnes	Ellis	Jackson	Naramore
Carter	Erdreich	Jones (F)	Nettles
Casey	Falkenburg	King	O'Daniel

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Owens	Robertson	Stokes	Waldrop
Perloff	St. John	Stubbs	Wallace
Porter	Slate	Taylor	Warren
Pruitt	Smith (K)	Therrell	Weeks
Reed (T)	Smith (P)	Turner	Wise
Reid (R)	Snell	Turnham	Wood
Reynolds	Stewart	Waggoner	Wynot
Roberts			

—97

And the bill:

H. 1485. Relating to the twenty-seventh judicial circuit; to provide for an expense allowance of \$3,600.00 per year to the district attorney of said judicial circuit to be supplemented by any county located in said district, in addition to any regular compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	McBride
Adams	Connell	Goodwin	McCluskey
Adwell	Coshatt	Grainger	McCorquodale
Agee	Cottingham	Gray (F)	McDonald
Bank	Crawford	Gray (D)	McMillan
Barkett	Cross	Hale	McNair
Barron	Crowe	Hardin	Mathews
Benton	Culver	Harris	May
Boles	Doss	Headley	Meeks
Boutwell	Downing	Hill	Merrill
Bowers	Drake	Hobbie	Mims
Brassell	Easters	Hughes	Naramore
Burgess	Edwards	Jackson	Nettles
Callahan	Ellis	Jones (F)	O'Daniel
Carnes	Erdreich	King	Owens
Carter	Falkenburg	Kinsey	Perloff
Casey	Fite	Lang	Porter
Cauthen	Flippo	Lutz	Pruitt

REGULAR SESSION
23rd Day

2071

Reed (T)	Smith (K)	Taylor	Wallace
Reid (R)	Smith (P)	Therrell	Warren
Reynolds	Snell	Turner	Weeks
Roberts	Stewart	Turnham	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot
Slate			

—97

And the bill:

H. 1496. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1497. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Barkett	Bowers	Carter
Adams	Barron	Brassell	Casey
Adwell	Benton	Burgess	Cauthen
Agee	Boles	Callahan	Chesnut
Bank	Boutwell	Carnes	Connell

Coshatt	Grey (D)	McNair	Slate
Cottingham	Hale	Mathews	Smith (K)
Crawford	Hardin	May	Smith (P)
Cross	Harris	Meeks	Snell
Crowe	Headley	Merrill	Stewart
Culver	Hill	Mims	Stokes
Doss	Hobbie	Naramore	Stubbs
Downing	Hughes	Nettles	Taylor
Drake	Jackson	O'Daniel	Therrell
Easters	Jones (F)	Owens	Turner
Edwards	King	Perloff	Turnham
Ellis	Kinsey	Porter	Waggoner
Erdreich	Lang	Pruitt	Waldrop
Falkenburg	Lutz	Reed (T)	Wallace
Fite	McBride	Reid (R)	Warren
Flippo	McCluskey	Reynolds	Weeks
Gafford	McCorquodale	Roberts	Wise
Goodwin	McDonald	Robertson	Wood
Grainger	McMillan	St. John	Wynot
Gray (F)			

—97

And the bill:

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Connell	Grainger	McDonald
Adams	Coshatt	Gray (F)	McMillan
Adwell	Cottingham	Grey (D)	McNair
Agee	Crawford	Hale	Mathews
Bank	Cross	Hardin	May
Barkett	Crowe	Harris	Meeks
Barron	Culver	Headley	Merrill
Benton	Doss	Hill	Mims
Boles	Downing	Hobbie	Naramore
Boutwell	Drake	Hughes	Nettles
Bowers	Easters	Jackson	O'Daniel
Brassell	Edwards	Jones (F)	Owens
Burgess	Ellis	King	Perloff
Callahan	Erdreich	Kinsey	Porter
Carnes	Falkenburg	Lang	Pruitt
Carter	Fite	Lutz	Reed (T)
Casey	Flippo	McBride	Reid (R)
Cauthen	Gafford	McCluskey	Reynolds
Chesnut	Goodwin	McCorquodale	Roberts

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2073

Robertson	Stewart	Turner	Warren
St. John	Stokes	Turnham	Weeks
Slate	Stubbs	Waggoner	Wise
Smith (K)	Taylor	Waldrop	Wood
Smith (P)	Therrell	Wallace	Wynot
Snell			

—97

And the bill:

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

UNANIMOUS CONSENT GRANTED

At the request of Mr. Mims, unanimous consent was granted for the Journal to show him voting "yea" on all local bills.

And the bill:

H. 1500. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	McBride
Adams	Connell	Goodwin	McCluskey
Adwell	Coshatt	Grainger	McCorquodale
Agee	Cottingham	Gray (F)	McDonald
Bank	Crawford	Grey (D)	McMillan
Barkett	Cross	Hale	McNair
Barron	Crowe	Hardin	Mathews
Benton	Culver	Harris	May
Boles	Doss	Headley	Meeks
Boutwell	Downing	Hill	Merrill
Bowers	Drake	Hobbie	Mims
Brassell	Easters	Hughes	Naramore
Burgess	Edwards	Jackson	Nettles
Callahan	Ellis	Jones (F)	O'Daniel
Carnes	Erdreich	King	Owens
Carter	Falkenburg	Kinsey	Perloff
Casey	Fite	Lang	Porter
Cauthen	Flippo	Lutz	Pruitt

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2075

Reed (T)	Smith (K)	Taylor	Wallace
Reid (R)	Smith (P)	Therrell	Warren
Reynolds	Snell	Turner	Weeks
Roberts	Stewart	Turnham	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot
Slate			

—97

And the bill:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of the District Attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boutwell
Adams	Bank	Benton	Bowers
Adwell	Barkett	Boles	Brassell

23rd Day

Burgess	Fite	McCluskey	Robertson
Callahan	Flippo	McCorquodale	St. John
Carnes	Gafford	McDonald	Slate
Carter	Goodwin	McMillan	Smith (K)
Casey	Grainger	McNair	Smith (P)
Cauthen	Gray (F)	Mathews	Snell
Chesnut	Grey (D)	May	Stewart
Connell	Hale	Meeks	Stokes
Coshatt	Hardin	Merrill	Stubbs
Cottingham	Harris	Mims	Taylor
Crawford	Headley	Naramore	Therrell
Cross	Hill	Nettles	Turner
Crowe	Hobbie	O'Daniel	Turnham
Culver	Hughes	Owens	Waggoner
Doss	Jackson	Perloff	Waldrop
Downing	Jones (F)	Porter	Wallace
Drake	King	Pruitt	Warren
Easters	Kinsey	Reed (T)	Weeks
Edwards	Lang	Reid (R)	Wise
Ellis	Lutz	Reynolds	Wood
Erdreich	McBride	Roberts	Wynot
Falkenburg			

—97

And the bill:

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

REGULAR SESSION
23rd Day

2077

And the bill:

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial Census; relieving the Clerk and Register of the Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1440. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Barron	Burgess	Chesnut
Adams	Benton	Callahan	Connell
Adwell	Boles	Carnes	Coshatt
Agee	Boutwell	Carter	Cottingham
Bank	Bowers	Casey	Crawford
Barkett	Brassell	Cauthen	Cross

Crowe	Harris	May	Smith (K)
Culver	Headley	Meeks	Smith (P)
Doss	Hill	Merrill	Snell
Downing	Hobbie	Mims	Stewart
Drake	Hughes	Namore	Stokes
Easters	Jackson	Nettles	Stubbs
Edwards	Jones (F)	O'Daniel	Taylor
Ellis	King	Owens	Therrell
Erdreich	Kinsey	Perloff	Turner
Falkenburg	Lang	Porter	Turnham
Fite	Lutz	Pruitt	Waggoner
Flippo	McBride	Reed (T)	Waldrop
Gafford	McCluskey	Reid (R)	Wallace
Goodwin	McCorquodale	Reynolds	Warren
Grainger	McDonald	Roberts	Weeks
Gray (F)	McMillan	Robertson	Wise
Grey (D)	McNair	St. John	Wood
Hale	Mathews	Slate	Wynot
Hardin			

And the bill:

H. 1463. (With Amendment): Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

Was taken up.

The questions was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1463, Section 1 by striking the word "retain", and inserting in lieu thereof the word "retail",

And further amend H. B. 1463 by adding an additional section after Section 2 and renumbering subsequent sections accordingly, Said Section to read as follows: "Section 3. This Act shall apply to holders of on premise ABC licenses only".

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Callahan	Doss	Gray (F)
Adams	Carnes	Downing	Grey (D)
Adwell	Carter	Drake	Hale
Agee	Casey	Easters	Hardin
Bank	Cauthen	Edwards	Harris
Barkett	Chesnut	Ellis	Headley
Barron	Connell	Erdreich	Hill
Benton	Coshatt	Falkenburg	Hobbie
Boles	Cottingham	Fite	Hughes
Boutwell	Crawford	Flippo	Jackson
Bowers	Cross	Gafford	Jones (F)
Brassell	Crowe	Goodwin	King
Burges	Culver	Grainger	Kinsey

REGULAR SESSION
23rd Day

2079

Lang	Mims	Roberts	Therrell
Lutz	Naramore	Robertson	Turner
McBride	Nettles	St. John	Turnham
McCluskey	O'Daniel	Slate	Waggoner
McCorquodale	Owens	Smith (K)	Waldrop
McDonald	Perloff	Smith (P)	Wallace
McMillan	Porter	Snell	Warren
McNair	Pruitt	Stewart	Weeks
Mathews	Reed (T)	Stokes	Wise
May	Reid (R)	Stubbs	Wood
Meeks	Reynolds	Taylor	Wynot
Merrill			

—97

And the bill, H. 1463, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1527. (With Amendment): Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1527, Section 1 by adding the following sentence to the end thereof:

"Provided, however, that nothing in this Act shall be construed to authorize the removal from the Main Madison County Court House of any records pertaining to real property, or the storage of any such records in any place other than the Main Madison County Court House".

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill, H. 1527, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Edwards
Adams	Brassell	Cottingham	Ellis
Adwell	Burgess	Crawford	Erdreich
Agee	Callahan	Cross	Falkenburg
Bank	Carnes	Crowe	Fite
Barkett	Carter	Culver	Flippo
Barron	Casey	Doss	Gafford
Benton	Cauthen	Downing	Goodwin
Boles	Chesnut	Drake	Grainger
Boutwell	Connell	Easters	Gray (F)

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2081

Grey (D)	McCluskey	Perloff	Stokes
Hale	McCorquodale	Porter	Stubbs
Hardin	McDonald	Pruitt	Taylor
Harris	McMillan	Reed (T)	Therrell
Headley	McNair	Reid (R)	Turner
Hill	Mathews	Reynolds	Turnham
Hobbie	May	Roberts	Waggoner
Hughes	Meeks	Robertson	Waldrop
Jackson	Merrill	St. John	Wallace
Jones (F)	Mims	Slate	Warren
King	Narmore	Smith (K)	Weeks
Kinsey	Nettles	Smith (P)	Wise
Lang	O'Daniel	Snell	Wood
Lutz	Owens	Stewart	Wynot
McBride			

—97

And the bill:

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Narmore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1529. (With Amendment): To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1529 by adding at the end of section 1 the following: "provided however such proclamations shall not affect the legal rights, obligations, or privileges of any person or organization and provided further that the issuance of such proclamations shall be contingent on the approval of the Madison County Commission."

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill, H. 1529, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Burgess	Crowe	Gafford
Adams	Callahan	Culver	Goodwin
Adwell	Carnes	Doss	Grainger
Agee	Carter	Downing	Gray (F)
Bank	Casey	Drake	Grey (D)
Barkett	Cauthen	Easters	Hale
Barron	Chesnut	Edwards	Hardin
Benton	Connell	Ellis	Harris
Boles	Coshatt	Erdreich	Headley
Boutwell	Cottingham	Falkenburg	Hill
Bowers	Crawford	Fite	Hobbie
Brassell	Cross	Flippo	Hughes

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Jackson	May	Reid (R)	Taylor
Jones (F)	Meeks	Reynolds	Therrell
King	Merrill	Roberts	Turner
Kinsey	Mims	Robertson	Turnham
Lang	Naramore	St. John	Waggoner
Lutz	Nettles	Slate	Waldrop
McBride	O'Daniel	Smith (K)	Wallace
McCluskey	Owens	Smith (P)	Warren
McCorquodale	Perloff	Snell	Weeks
McDonald	Porter	Stewart	Wise
McMillan	Pruitt	Stokes	Wood
McNair	Reed (T)	Stubbs	Wynot
Mathews			

—97

And the bill:

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, term, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Agee	Drake	Lang	Robertson
Bank	Easters	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	McNair	Stokes
Brassell	Gafford	Mathews	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hill	Perloff	Weeks
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—97

And the bill:

H. 1462. (With Amendment): To provide that all Alabama Alcoholic Beverage Control Board licensees in counties having populations of not less than 150,000 nor more than 180,000 may stay open until 2:00 A.M. each night of the week.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1462 by adding the following Section after Section 1 and renumbering subsequent Sections accordingly:

"Section 2. This Act in no way shall affect the existing statutes requiring licensees to close on Sunday, except allowing them to remain an additional two hours from 12 A.M. to 2 A.M. on Sunday morning".

And the amendment was adopted.

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Yeas 60; Nays 1.

Yeas:

Messrs.:	Downing	Jackson	Pruitt
Adams	Drake	Jones (F)	Reed (T)
Adwell	Ellis	King	Reid (R)
Boles	Erdreich	Lutz	Reynolds
Boutwell	Falkenburg	McDonald	St. John
Brassell	Fite	McNair	Stewart
Callahan	Flippo	Mathews	Stokes
Carnes	Goodwin	May	Taylor
Carter	Gray (F)	Meeks	Waggoner
Casey	Grey (D)	Nettles	Waldrop
Chesnut	Hale	O'Daniel	Wallace
Connell	Hardin	Owens	Williams
Coshatt	Harris	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Cross	Hughes	Porter	Wynot
Crowe			—60

Nay: Mr. Barron.

—1

And the bill, H. 1462, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 1.

Yeas:

Messrs.:	Cross	Jackson	Reed (T)
Adams	Downing	Jones (F)	Reynolds
Boles	Drake	King	St. John
Boutwell	Ellis	Lutz	Slate
Brassell	Erdreich	McDonald	Stewart
Burgess	Falkenburg	Mathews	Stokes
Callahan	Fite	May	Taylor
Carnes	Flippo	Meeks	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Casey	Grey (D)	O'Daniel	Wallace
Cauthen	Hale	Owens	Williams
Chesnut	Hardin	Parker	Wise
Connell	Harris	Perloff	Wood
Coshatt	Hobbie	Porter	Wynot
Cottingham	Hughes	Pruitt	—58

Nay: Mr. Barron.

—1

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Headley and Stubbs, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 1295.

UNFINISHED BUSINESS

The House then proceeded with the consideration of the unfinished business.

And the bill:

H. 1295. To amend Section 38, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists,

when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place, and providing notice be given the electors of their voting location.

As amended on the twentieth legislative day, was taken up.

Mr. Gafford offered the following substitute to the bill, H. 1295 as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend further Code of Alabama 1940, Title 17, Section 38, which relates to lists of qualified electors, called "poll lists," so as to delete any references therein to the requirement for the payment of poll taxes, to provide further for the preparation and publication of such lists and to amend and incorporate into such section the provisions cognate thereto but heretofore appearing in Section 2 of Act No. 482 of the Regular Session of 1947 (General Acts 1947, p. 331—now appearing as Section 38(1) of Title 17 in the Code of Alabama, Recompiled 1958) which made it unlawful for any elector whose name was not on the official list of the precinct, district or subdivision to vote in such precinct, district or subdivision, and to repeal said Section 2 of Act No. 482 of the Regular Session of 1947.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 38, is hereby amended to read as follows:

"Section 38. (a) The judge of probate shall, from the registered list heretofore and hereafter returned to his office, including those registered prior to January 1902, and excluding those names stricken therefrom, as shown by the list returned to him under the provisions of Section 54 of this title, make correct alphabetical lists of all electors registered by precincts or by districts or other subdivisions thereof where any precinct has been divided or subdivided, if not within a city or incorporated town, and by wards or other subdivisions, if within a city or incorporated town which list shall be certified by him officially to be a full and correct list of the registered electors, and no others, except for purposes of information for each precinct, each district, each ward or each other subdivision, respectively, as the same appears from the returns of the registrars on file in his office. The judge of probate shall, after the first day of January each year, compare such official lists of registered electors with the lists which have been furnished him by the board of registrars, and by such comparison and other available information, said judge of probate shall make correct alphabetical lists of all the qualified electors registered by precincts, and by districts or other subdivisions where the precinct has been divided or subdivided, if not within a city or incorporated town, and by wards or other subdivisions, if within a city or incorporated town. Such lists so made up shall be published by him in some newspaper with a general circulation in the county on or before the fifteenth day of April 1974, and at least each four years thereafter, but, in the discretion of the judge of probate, may be published on any each two years thereafter. Together with said lists there shall also be published a certificate that said lists constitute the correct list of all qualified electors who will be

entitled to vote in any election held in said county from the time of such publication until the first day of May, of the next succeeding year, and also a notice that any voter duly registered whose name has been inadvertently or through mistake omitted therefrom and who is legally entitled to vote shall have ten days from said publication to have his or her name entered upon said lists of qualified voters. If within such ten days any voter shall reasonably satisfy said judge of probate or board of registrars, by proper proof that any name should be added to such list, his or her name shall be added thereto, so that he or she may vote in the precinct, district, ward or other subdivision, where he is duly domiciled. An alphabetical list by precinct, or by district or other subdivision where the precinct has been divided or subdivided, if not within a city or incorporated town, and by wards or other subdivisions, if within a city or incorporated town, of those so added within ten days shall be prepared and published by said judge of probate in some newspaper with a general circulation in said county on or before the first day of May, 1974, and each four years thereafter; or in the discretion of the judge of probate, may be published on any each two years thereafter. Such alphabetical list of said voters, published by the judge of probate on or before the fifteenth day of April, together with the names added and published on or before the first day of May, shall be the official list of voters qualified in each of the precincts, districts, wards or other subdivisions within the county for the next ensuing year, and no person shall be allowed to vote except in the precinct, district, ward or other subdivision in which his or her name appears on said list, unless such person complies with the qualification prescribed by law for challenged voters; the judge of probate shall deliver, or cause to be delivered, to the inspectors at each voting place in his county a list of said qualified electors immediately preceding every election or primary. Provided further that all new registrants and electors who have moved from one voting box to another shall be given notice in writing, either by hand or by mail postage prepaid, stating the correct voting place, precinct, district, ward or other subdivision, where the elector shall vote.

“(b) It shall be unlawful for any elector to cast his or her ballot during any general election, primary election or special election in any precinct, any district, any ward or any other subdivision, where his or her name does not duly appear upon the official list of such precinct, district or subdivision. All ballots cast in any election contrary to the provisions of this act are hereby declared illegal and, upon a contest duly instituted, such ballots shall be excluded in determining the final result of any election. Provided that nothing in this Act shall prevent any qualified elector residing in said precinct, ward or voting district from voting after presenting a proper certificate from the judge of probate or board of registrars certifying that he is a qualified elector of such precinct, ward or voting district or after a challenge oath be made and filed with the proper officials of said box or voting place.”

Section 2. Section 2 of Act No. 482, H. 71 of the Regular Session of 1947 (General Acts of 1947, p. 331—now appearing as Section 38(1) of Title 17 in the Code of Alabama, Recompiled 1958) is hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO POSTPONE

Mr. Adwell offered the motion that the bill, H. 1295 as amended, be postponed to the twenty-fifth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Gafford to table the motion offered by Mr. Adwell, that the bill, H. 1295 as amended, be postponed to the twenty-fifth legislative day, was lost.

Yeas 29; Nays 31.

Yeas:

Messrs.:	Chesnut	Meeks	Smith (K)
Agee	Cottingham	Merrill	Stewart
Burgess	Downing	Perloff	Stokes
Callahan	Fite	Porter	Turner
Carnes	Grey (D)	Reynolds	Waggoner
Carter	Hale	St. John	Waldrop
Casey	Hobbie	Slate	Williams
Cauthen	Lutz		

—29

Nays:

Messrs.:	Edwards	Jackson	Smith (P)
Adams	Erdreich	King	Stubbs
Adwell	Falkenburg	McCluskey	Taylor
Barron	Gray (F)	McDonald	Turnham
Benton	Hardin	McNair	Wallace
Brassell	Harris	Mathews	Warren
Coshatt	Headley	Mims	Wise
Drake	Hughes	Owens	Wood

—31

MOTION TO POSTPONE LOST

The question was then on the motion of Mr. Adwell, that the bill, H. 1295 as amended, be postponed to the twenty-fifth legislative day, and the motion was lost.

Yeas 32; Nays 34.

Yeas:

Messrs.:	Ellis	King	Reed (T)
Adwell	Erdreich	McCluskey	Reynolds
Bank	Falkenburg	McDonald	Smith (P)
Barron	Gray (F)	McNair	Stokes
Benton	Hardin	Mathews	Waldrop
Boles	Headley	Mims	Wallace
Coshatt	Hughes	Owens	Warren
Drake	Jackson	Parker	Wise
Edwards			

—32

Nays:

Messrs.:	Cauthen	Lutz	Stewart
Adams	Chesnut	Meeks	Stubbs
Agee	Cottingham	Merrill	Turner
Barkett	Downing	Perloff	Turnham
Brassell	Fite	Porter	Waggoner
Burgess	Goodwin	Reid (R)	Williams
Carnes	Grey (D)	St. John	Wood
Carter	Hale	Slate	Wynot
Casey	Hobbie	Smith (K)	

—34

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SUBSTITUTE ADOPTED

The question was then on the adoption of the substitute offered by Mr. Gafford to the bill, H. 1295 as amended, and the substitute was adopted.

Yeas 43; Nays 23.

Yeas:

Messrs.:	Cottingham	King	Slate
Adwell	Cross	Lutz	Smith (K)
Barkett	Culver	McCluskey	Stewart
Boles	Downing	Meeks	Stokes
Boutwell	Ellis	Merrill	Turner
Burgess	Fite	Parker	Waggoner
Carnes	Goodwin	Perloff	Waldrop
Carter	Grey (D)	Porter	Wallace
Casey	Hale	Reid (R)	Williams
Cauthen	Hobbie	Reynolds	Wood
Chesnut	Hughes	St. John	Wynot

—43

Nays:

Messrs.:	Drake	Headley	Owens
Adams	Edwards	Jackson	Reed (T)
Agee	Erdreich	Jones (F)	Stubbs
Barron	Falkenburg	McDonald	Turnham
Benton	Hardin	McNair	Warren
Brassell	Harris	Mims	Wise

—23

RESOLUTION

The following resolution was introduced:

By Messrs. Kinsey and Benton:

**H. J. R. 164. NAMING HIGHWAY 47 IN BALDWIN COUNTY
"GULF SHORES PARKWAY"**

WHEREAS County Road 47 located in Baldwin County is a part of the principal inland access to Gulf Shores, the Gulf State Park and the many other tourist attractions of that area; and

WHEREAS such highway runs from Interstate Highway 65 to connect with State Highway 59 and it is considered appropriate to designate such highway part of "Gulf Shores Parkway;" now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That County Road 47 located in Baldwin County running south from Interstate Highway 65 to State Highway 59 is hereby designated as "Gulf Shores Parkway" and the State Highway Department shall cause appropriate signs and markers to be erected along said highway.

The resolution, H. J. R. 164, was read and referred to the Standing Committee on Rules.

H. 881 RE-REFERRED

On motion of Mr. King to re-refer, the Speaker re-referred the bill, H. 881, from the Standing Committee on Judiciary to the Standing Committee on Local Government.

H. 1295 RESUMED

Mr. Reed (T) offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

"However, this act shall not apply in Macon, Bullock and Barber Counties.

MOTION TO TABLE LOST

The motion of Mr. Gafford to table the amendment offered by Mr. Reed (T) was lost.

Yeas 30; Nays 34.

Yeas:

Messrs.:	Cross	Lutz	Slate
Agee	Crowe	McBride	Smith (K)
Barron	Downing	Meeks	Stokes
Callahan	Fite	Merrill	Turner
Casey	Goodwin	Naramore	Waggoner
Cauthen	Grainger	Porter	Waldrop
Chesnut	Hobbie	Robertson	Wood
Cottingham	King	St. John	

—30

Nays:

Messrs.:	Crawford	Harris	Owens
Adams	Drake	Headley	Reed (T)
Barkett	Easters	Hughes	Stubbs
Benton	Edwards	Jackson	Taylor
Boutwell	Erdreich	Jones (F)	Turnham
Brassell	Falkenburg	McCluskey	Wallace
Carnes	Gray (F)	McDonald	Warren
Connell	Hale	McNair	Wise
Coshatt	Hardin	Mims	

—34

The question was then on the adoption of the amendment offered by Mr. Reed (T) to the bill, H. 1295 as amended, and the amendment was adopted.

Yeas 41; Nays 24.

Yeas:

Messrs.:	Casey	Edwards	Hughes
Adams	Connell	Erdreich	Jackson
Adwell	Coshatt	Falkenburg	Jones (F)
Agee	Crawford	Fite	McCluskey
Benton	Crowe	Gray (F)	McDonald
Boutwell	Doss	Hardin	McNair
Brassell	Drake	Harris	May
Carnes	Easters	Headley	Mims

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Owens	Stubbs	Waldrop	Warren
Reed (T)	Taylor	Wallace	Wise
Robertson	Turnham		

—41

Nays:

Messrs.:	Cross	McBride	Slate
Barkett	Goodwin	Meeks	Smith (K)
Barron	Grainger	Merrill	Stokes
Callahan	Hale	Naramore	Turner
Cauthen	King	Porter	Waggoner
Chesnut	Lutz	St. John	Wood
Cottingham			

—24

AMENDMENT OFFERED

Mr. Warren offered the following amendment to the bill, H. 1295 as amended: However this Bill shall not apply to Monroe, Wilcox and Conecuh Counties.

MOTION TO TABLE LOST

The motion of Mr. Gafford to table the amendment offered by Mr. Warren was lost.

Yeas 20; Nays 43.

Yeas:

Messrs.:	Grey (D)	Naramore	Turner
Carnes	Hill	Parker	Waggoner
Cauthen	McBride	Porter	Waldrop
Chesnut	Meeks	St. John	Wood
Downing	Merrill	Stokes	Wynot
Ellis			

—20

Nays:

Messrs.:	Crawford	Hardin	May
Adams	Doss	Harris	Mims
Agee	Drake	Headley	Owens
Barkett	Easters	Jackson	Reed (T)
Barron	Edwards	Jones (F)	Reynolds
Benton	Erdreich	King	Slate
Boutwell	Falkenburg	Kinsey	Stubbs
Brassell	Fite	Lang	Taylor
Carter	Grainger	Lutz	Turnham
Connell	Gray (F)	McCluskey	Warren
Coshatt	Hale	McDonald	Wise

—43

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Warren, and the amendment was adopted.

Yeas 43; Nays 22.

Yeas:

Messrs.:	Barron	Brassell	Connell
Adams	Benton	Carter	Coshatt
Bank	Boutwell	Casey	Crawford

Drake	Gray (F)	Lang	Reynolds
Easters	Hardin	McCluskey	Slate
Edwards	Harris	McDonald	Stubbs
Ellis	Headley	May	Turnham
Erdreich	Jackson	Mims	Wallace
Falkenburg	Jones (F)	O'Daniel	Warren
Fite	King	Owens	Williams
Goodwin	Kinsey	Reed (T)	Wise

—43

Nays:

Messrs.:	Grey (D)	Meeks	Turner
Carnes	Hale	Naramore	Waggoner
Cauthen	Hill	Porter	Waldrop
Chesnut	Lutz	St. John	Wood
Doss	McBride	Stewart	Wynot
Grainger	McNair	Stokes	

—22

Mr. Headley offered the following amendment to the bill, H. 1295 as amended:

Amend H. 1295 as substituted, by deleting Chilton, Butler, Crenshaw, Pike, St. Clair, Shelby, Covington and Geneva Counties from the provision thereof.

And the amendment was adopted.

Yeas 43; Nays 20.

Yeas:

Messrs.:	Coshatt	Harris	Owens
Adams	Cottingham	Headley	Reed (T)
Agee	Crawford	Hughes	Reynolds
Barkett	Drake	Jackson	Slate
Barron	Easters	Jones (F)	Stubbs
Benton	Edwards	King	Taylor
Boutwell	Falkenburg	Kinsey	Turnham
Brassell	Fite	Lang	Wallace
Carter	Goodwin	McDonald	Warren
Casey	Gray (F)	May	Williams
Connell	Hardin	Mims	Wise

—43

Nays:

Messrs.:	Downing	Lutz	St. John
Bowers	Grainger	McBride	Turner
Carnes	Grey (D)	Meeks	Waggoner
Cauthen	Hale	Naramore	Wood
Chesnut	Hobbie	Parker	Wynot
Doss			

—20

Mr. Gafford offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

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And the amendment was adopted.

Yeas 44; Nays 28.

Yeas:

Messrs.:	Connell	Grainger	Parker
Adams	Cottingham	Hale	Porter
Adwell	Crawford	Headley	St. John
Barkett	Cross	Hobbie	Slate
Barron	Crowe	King	Smith (K)
Boutwell	Culver	Lutz	Stewart
Bowers	Doss	McBride	Stokes
Burgess	Downing	McDonald	Stubbs
Carter	Drake	Meeks	Turner
Casey	Ellis	Merrill	Waggoner
Cauthen	Gafford	Naramore	Wood
Chesnut			—44

Nays:

Messrs.:	Falkenburg	Kinsey	Smith (P)
Benton	Goodwin	Lang	Turnham
Brassell	Gray (F)	May	Waldrop
Carnes	Grey (D)	Mims	Wallace
Coshatt	Hardin	Owens	Warren
Easters	Hill	Reed (T)	Wise
Edwards	Jackson	Reynolds	Wynot
Erdreich			—28

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Mr. Headley to indefinitely postpone the bill, H. 1295 as amended, was lost.

Yeas 34; Nays 42.

Yeas:

Messrs.:	Goodwin	Kinsey	Reynolds
Benton	Gray (F)	Lang	Smith (P)
Brassell	Hale	McCluskey	Stubbs
Coshatt	Hardin	McDonald	Turnham
Drake	Harris	Mims	Wallace
Easters	Headley	Owens	Warren
Edwards	Hughes	Perloff	Wise
Erdreich	Jackson	Pruitt	Wynot
Falkenburg	Jones (F)	Reed (T)	—34

Nays:

Messrs.:	Cottingham	Grey (D)	St. John
Adams	Cross	Hill	Slate
Adwell	Crowe	Hobbie	Smith (K)
Barron	Culver	Lutz	Stewart
Bowers	Doss	McBride	Stokes
Burgess	Downing	Meeks	Turner
Carnes	Ellis	Merrill	Waggoner
Carter	Fite	Naramore	Waldrop
Casey	Flippo	Parker	Williams
Cauthen	Gafford	Porter	Wood
Chesnut	Grainger	Robertson	—42

Mr. Easters offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

"However, this act shall not apply in Coffee, Marion or Winston Counties."

MOTION TO TABLE LOST

The motion of Mr. Gafford to table the amendment offered by Mr. Easters was lost.

Yeas 20; Nays 44.

Yeas:

Messrs.:	Grey (D)	Merrill	Stewart
Bowers	Hale	Naramore	Stokes
Carnes	Hill	Porter	Waggoner
Cauthen	McBride	St. John	Wood
Chesnut	Meeks	Slate	Wynot
Downing			

—20

Nays:

Messrs.:	Drake	Hobbie	Owens
Adams	Easters	Hughes	Perloff
Agee	Erdreich	Jackson	Reed (T)
Barkett	Falkenburg	Jones (F)	Reynolds
Barron	Fite	King	Stubbs
Benton	Goodwin	Kinsey	Taylor
Boutwell	Grainger	Lang	Turner
Brassell	Gray (F)	Lutz	Turnham
Connell	Hardin	McCluskey	Wallace
Coshatt	Harris	McDonald	Warren
Cottingham	Headley	Mims	Wise
Crawford			

—44

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Easters to the bill, H. 1295 as amended, and the amendment was adopted.

Yeas 51; Nays 16.

Yeas:

Messrs.:	Coshatt	Harris	Reed (T)
Adams	Cottingham	Headley	Reynolds
Agee	Crawford	Hughes	Slate
Barkett	Drake	Jackson	Stokes
Barron	Easters	Jones (F)	Stubbs
Benton	Ellis	King	Taylor
Boles	Erdreich	Kinsey	Therrell
Boutwell	Falkenburg	Lang	Turnham
Brassell	Fite	McCluskey	Waldrop
Carnes	Goodwin	McDonald	Wallace
Carter	Gray (F)	Mims	Warren
Casey	Grey (D)	Owens	Wise
Connell	Hardin	Perloff	Wynot

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Nays:

Messrs.:	Grainger	Lutz	Porter
Bowers	Hale	McBride	Turner
Cauthen	Hill	Meeks	Waggoner
Chesnut	Hobbie	Naramore	Wood
Downing			

—16

Mr. Edwards offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

“However, this act shall not apply in Lowndes and Autauga Counties.”

And the amendment was adopted.

Yeas 37; Nays 21.

Yeas:

Messrs.:	Coshatt	Headley	Reynolds
Adams	Cottingham	Hughes	Stubbs
Agee	Culver	Jackson	Taylor
Bank	Downing	King	Therrell
Barron	Drake	Lang	Turnham
Boutwell	Easters	McCluskey	Wallace
Brassell	Fite	Owens	Williams
Burgess	Goodwin	Perloff	Wise
Casey	Gray (F)	Reed (T)	Wynot
Connell	Hardin		

—37

Nays:

Messrs.:	Grey (D)	McDonald	St. John
Bowers	Hale	Meeks	Stokes
Carnes	Hill	Naramore	Waggoner
Cauthen	Hobbie	Porter	Waldrop
Chesnut	Lutz	Robertson	Wood
Grainger	McBride		

—21

Mr. Erdreich offered the following amendment to the bill, H. 1295 as amended:

Add at the end of Section 2 the following:

The provisions of this Act shall not apply to counties over 500,000 according to the last or most recent decennial census.

AMENDMENT TABLED

On motion of Mr. Gafford the amendment offered by Mr. Erdreich to the bill, H. 1295 as amended, was tabled.

Yeas 36; Nays 21.

Yeas:

Messrs.:	Carnes	Cottingham	Hale
Adams	Casey	Downing	Hill
Adwell	Cauthen	Drake	Hobbie
Barkett	Chesnut	Grainger	Lutz
Bowers	Connell	Grey (D)	McBride

Meeks	Perloff	Slate	Turner
Merrill	Porter	Smith (K)	Waggoner
Naramore	Robertson	Stewart	Waldrop
Owens	St. John	Taylor	Wood
Parker			

—36

Nays:

Messrs.:	Falkenburg	Jackson	Reynolds
Bank	Fite	King	Stokes
Benton	Goodwin	McCluskey	Turnham
Coshatt	Gray (F)	May	Wallace
Easters	Hardin	Mims	Wise
Erdreich	Hughes		

—21

Mr. Reynolds offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

"However, this act shall not apply in Colbert, Cullman and Franklin Counties, Baldwin and Escambia."

And the amendment was adopted.

Yeas 39; Nays 20.

Yeas:

Messrs.:	Coshatt	Hale	Owens
Adams	Crawford	Hardin	Reid (R)
Bank	Drake	Headley	Reynolds
Barron	Easters	Hughes	St. John
Benton	Edwards	Jackson	Stubbs
Boutwell	Erdreich	King	Taylor
Brassell	Falkenburg	Kinsey	Turnham
Burgess	Fite	McDonald	Wallace
Casey	Goodwin	May	Warren
Connell	Gray (F)	Mims	Wise

—39

Nays:

Messrs.:	Grainger	Meeks	Stokes
Bowers	Grey (D)	Merrill	Therrell
Carnes	Hill	Naramore	Waggoner
Cauthen	Lutz	Perloff	Waldrop
Chesnut	McBride	Porter	Wood
Downing			

—20

Mr. Lang offered the following amendment to the bill, H. 1295 as amended:

This bill does not apply to Pickens and Greene County.

And the amendment was adopted.

Yeas 36; Nays 20.

Yeas:

Messrs.:	Barron	Brassell	Coshatt
Adams	Benton	Casey	Easters
Bank	Boutwell	Connell	Edwards

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Erdreich	Jackson	Perloff	Therrell
Falkenburg	King	Reynolds	Turnham
Fite	Kinsey	Robertson	Wallace
Goodwin	McDonald	Slate	Warren
Gray (F)	May	Stubbs	Williams
Hardin	Owens	Taylor	Wise
Headley			

—36

Nays:

Messrs.:	Grainger	McBride	St. John
Bowers	Grey (D)	Meeks	Stokes
Carnes	Hale	Merrill	Waggoner
Cauthen	Hill	Naramore	Waldrop
Chesnut	Lutz	Porter	Wood
Downing			

—20

Messrs. Turnham, Adams, Brassell, McCorquodale and Agee offered the following amendment to the bill, H. 1295 as amended:

The effects of this bill shall not apply to Lee and Russell Counties and Clarke and Washington and Choctaw Counties, Henry, Houston and Marshall Counties.

And the amendment was adopted.

Yeas 39; Nays 16.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Easters	King	St. John
Bank	Edwards	Kinsey	Taylor
Barron	Fite	Lang	Therrell
Benton	Goodwin	McDonald	Turnham
Boutwell	Gray (F)	May	Wallace
Brassell	Hardin	Mims	Warren
Casey	Harris	Owens	Williams
Connell	Headley	Perloff	Wise
Coshatt	Jackson	Reed (T)	

—39

Nays:

Messrs.:	Downing	Lutz	Porter
Bowers	Grainger	McBride	Stokes
Carnes	Grey (D)	Meeks	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut			

—16

Mr. Callahan offered the following amendment to the bill, H. 1295 as amended:

Amend the substitute to H.B. 1295 by adding the following:

This act shall not apply in Mobile County.

AMENDMENT TABLED

On motion of Mr. Gafford the amendment offered by Mr. Callahan to the bill, H. 1295 as amended, was tabled.

Yeas 31; Nays 20.

Yeas:

Messrs.:	Downing	Merrill	Stokes
Adwell	Gafford	Naramore	Taylor
Barkett	Grainger	Parker	Therrell
Barron	Grey (D)	Perloff	Turnham
Carnes	Hughes	Porter	Waggoner
Casey	Lutz	Reid (R)	Waldrop
Cauthen	McBride	Slate	Wood
Chesnut	Meeks	Stewart	Wynot

—31

Nays:

Mr. Speaker	Fite	Kinsey	Nettles
Agee	Hale	Lang	Owens
Benton	Hardin	McDonald	Wallace
Crawford	Hobbie	May	Warren
Easters	Jackson	Mims	Wise

—20

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. McCluskey offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 as substituted by adding the following:

However this act shall not apply in Talladega County.

MOTION TO TABLE LOST

The motion of Mr. Gafford to table the amendment offered by Mr. McCluskey to the bill, H. 1295 as amended, was lost.

Yeas 22; Nays 37.

Yeas:

Messrs.:	Grainger	McBride	Slate
Boutwell	Grey (D)	Meeks	Stokes
Bowers	Hale	Naramore	Turnham
Carnes	Hughes	Parker	Waggoner
Cauthen	King	Porter	Waldrop
Chesnut	Lutz	Reid (R)	

—22

Nays:

Messrs.:	Downing	Hughes	Reynolds
Adams	Drake	Kinsey	Stubbs
Bank	Easters	Lang	Taylor
Barkett	Edwards	McDonald	Therrell
Barron	Erdreich	Mathews	Wallace
Benton	Fite	May	Warren
Brassell	Goodwin	Mims	Williams
CConnell	Gray (F)	Owens	Wise
Coshatt	Hardin	Reed (T)	Wood
Crawford	Headley		

—37

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AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. McCluskey to the bill, H. 1295 as amended, and the amendment was adopted.

Yeas 43; Nays 14.

Yeas:

Messrs.:	Coshatt	Hughes	Reynolds
Adams	Crawford	Jackson	St. John
Bank	Drake	King	Slate
Barkett	Easters	Kinsey	Stubbs
Barron	Edwards	Lang	Taylor
Benton	Erdreich	May	Therrell
Boles	Fite	Mims	Turnham
Boutwell	Goodwin	Owens	Wallace
Brassell	Gray (F)	Perloff	Warren
Casey	Hardin	Reed (T)	Williams
Connell	Headley	Reid (R)	Wise

—43

Nays:

Messrs.:	Chesnut	Lutz	Porter
Bowers	Downing	McBride	Waggoner
Carnes	Grainger	Meeks	Waldrop
Cauthen	Hale	Naramore	

—14

UNANIMOUS CONSENT GRANTED

At the request of Mr. Mims, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1651.

H. 1295 RESUMED

Mr. Callahan offered the following amendment to the bill, H. 1295 as amended:

The provisions of this bill will not apply to any county within the boundaries of Alabama.

AMENDMENT TABLED

On motion of Mr. Stokes, the amendment offered by Mr. Callahan to the bill, H. 1295 as amended, was tabled.

Yeas 32; Nays 26.

Yeas:

Messrs.:	Ellis	Merrill	Robertson
Bank	Gafford	Naramore	Stokes
Barron	Grainger	Parker	Turnham
Burgess	Grey (D)	Perloff	Waggoner
Carnes	Hill	Porter	Waldrop
Cauthen	King	Reid (R)	Wallace
Chesnut	Lutz	Reynolds	Wood
Culver	Meeks	Roberts	Wynot
Downing			

—32

Nays:

Messrs.:	Coshatt	Fite	McDonald
Adams	Crawford	Goodwin	Mims
Adwell	Cross	Hardin	Nettles
Barkett	Drake	Headley	Owens
Benton	Edwards	Jackson	Stubbs
Boutwell	Erdreich	Kinsey	Warren
Connell	Falkenburg	Lang	

—26

Mr. Mathews offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 by adding the following:

However this act shall not apply in Clay County.

And the amendment was adopted.

Yeas 40; Nays 13.

Yeas:

Messrs.:	Crawford	Hardin	Perloff
Adams	Drake	Harris	Reed (T)
Barkett	Easters	Headley	Reynolds
Barron	Edwards	King	Slate
Benton	Ellis	Kinsey	Stubbs
Boutwell	Erdreich	Lang	Therrell
Brassell	Falkenburg	Mathews	Turnham
Burgess	Fite	May	Wallace
Cauthen	Goodwin	Mims	Warren
Connell	Gray (F)	Owens	Williams
Coshatt			

—40

Nays:

Messrs.:	Grainger	McBride	Porter
Carnes	Grey (D)	Meeks	Waggoner
Cross	Hale	Naramore	Waldrop
Downing	Lutz		

—13

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Pruitt offered the following amendment to the bill, H. 1295 as amended:

Amend the Substitute to H. B. 1295 by adding at the end thereof the following:

"Provided however this Act shall not apply to Sumter, Marengo and Perry County."

And the amendment was adopted.

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Yeas 42; Nays 15.

Yeas:

Messrs.:	Downing	Headley	Pruitt
Adams	Drake	Jackson	Reed (T)
Barron	Easters	King	Reid (R)
Benton	Edwards	Kinsey	Reynolds
Boutwell	Ellis	Lang	Stubbs
Brassell	Erdreich	McDonald	Therrell
Carter	Falkenburg	Mathews	Turnham
Casey	Fite	May	Wallace
Connell	Goodwin	Mims	Warren
Coshatt	Gray (F)	Owens	Williams
Crawford	Hardin	Perloff	

—42

Nays:

Messrs.:	Grainger	McBride	Slate
Carnes	Grey (D)	Meeks	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Lutz	Porter	Wood

—15

Mr. Stokes offered the following amendment to the bill, H. 1295 as amended:

Add at the end of "Section 38" the following:

Provided that said voters list shall include the addresses of each elector.

And the amendment was adopted.

Yeas 47; Nays 15.

Yeas:

Messrs.:	Connell	Merrill	Stewart
Adwell	Crawford	Mims	Stokes
Barkett	Downing	Naramore	Taylor
Barron	Drake	Nettles	Therrell
Boutwell	Easters	Parker	Turner
Bowers	Ellis	Perloff	Turnham
Burgess	Fite	Porter	Waggoner
Carnes	Grey (D)	Reed (T)	Waldrop
Carter	Hughes	Roberts	Wallace
Casey	King	Robertson	Warren
Cauthen	Mathews	St. John	Williams
Chesnut	May	Slate	Wood

—47

Nays:

Messrs.:	Culver	Jackson	Meeks
Adams	Erdreich	Lang	Owens
Benton	Falkenburg	Lutz	Stubbs
Cross	Headley	McCluskey	Wise

—15

Mr. Headley offered the following amendment to the bill, H. 1295 as amended:

Amend H. B. 1295 by deleting Section 4 thereof.

MOTION TO TABLE LOST

The motion offered by Mr. Gafford to table the amendment offered by Mr. Headley to the bill, H. 1295 as amended, was lost.

Yeas 30; Nays 31.

Yeas:

Messrs.:	Casey	McBride	St. John
Adams	Chesnut	McCluskey	Stokes
Adwell	Cross	McDonald	Turner
Bank	Culver	Meeks	Waggoner
Barron	Downing	Naramore	Waldrop
Bowers	Grainger	Parker	Wood
Burgess	Grey (D)	Porter	Wynot
Carnes	Lutz	Roberts	

—30

Nays:

Messrs.:	Easters	Jackson	Pruitt
Barkett	Edwards	King	Reed (T)
Benton	Erdreich	Kinsey	Stubbs
Brassell	Falkenburg	Lang	Therrell
Callahan	Fite	May	Turnham
Coshatt	Goodwin	Mims	Wallace
Crawford	Hardin	Owens	Warren
Drake	Headley	Perloff	Wise

—31

AMENDMENT LOST

The question was then on the amendment offered by Mr. Headley to the bill, H. 1295 as amended, and the amendment was lost.

Yeas 35; Nays 37.

Yeas:

Messrs.:	Drake	Headley	Owens
Barkett	Easters	Hughes	Pruitt
Benton	Edwards	Jackson	Reed (T)
Brassell	Erdreich	King	Reid (R)
Callahan	Falkenburg	Kinsey	Stubbs
Connell	Fite	Lang	Turnham
Coshatt	Goodwin	May	Wallace
Cottingham	Gray (F)	Mims	Warren
Crawford	Hardin	Nettles	Wise

—35

Nays:

Messrs.:	Cauthen	McBride	St. John
Adams	Chesnut	McCluskey	Stewart
Adwell	Cross	Meeks	Stokes
Bank	Culver	Merrill	Taylor
Barron	Downing	Naramore	Therrell
Boutwell	Ellis	Parker	Turner
Bowers	Grainger	Perloff	Waggoner
Burgess	Grey (D)	Porter	Waldrop
Carnes	Hale	Roberts	Wood
Casey	Lutz		

—37

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MOTION TO POSTPONE TABLED

On motion of Mr. Gafford, the motion offered by Mr. Reynolds to postpone the bill, H. 1295 as amended, to the twenty-eighth legislative day, was tabled.

Yeas 43; Nays 40.

Yeas:

Messrs.:	Cottingham	Hale	Roberts
Adwell	Crowe	Hill	Robertson
Barkett	Culver	Lutz	St. John
Barron	Doss	McBride	Smith (K)
Bowers	Downing	McDonald	Stewart
Burgess	Easters	Meeks	Taylor
Carnes	Ellis	Merrill	Therrell
Carter	Flippo	Naramore	Turner
Casey	Gafford	Parker	Waggoner
Cauthen	Grainger	Perloff	Waldrop
Chesnut	Grey (D)	Porter	Wood

—43

Nays:

Messrs.:	Edwards	Jackson	Reed (T)
Adams	Erdreich	King	Reid (R)
Bank	Falkenburg	Kinney	Reynolds
Benton	Fite	Lang	Smith (P)
Brassell	Goodwin	McCluskey	Stokes
Callahan	Gray (F)	Mathews	Stubbs
Connell	Hardin	May	Turnham
Coshatt	Headley	Mims	Wallace
Crawford	Hobbie	Owens	Warren
Cross	Hughes	Pruitt	Wise
Drake			

—40

And the bill, H. 1295 as amended, was read a third time at length and lost.

Yeas 35; Nays 51.

Yeas:

Messrs.:	Cauthen	Hughes	Roberts
Adwell	Chesnut	Lutz	St. John
Barkett	Cross	McBride	Smith (K)
Barron	Crowe	Meeks	Stewart
Bowers	Culver	Merrill	Stokes
Burgess	Downing	Naramore	Therrell
Carnes	Grainger	Parker	Waggoner
Carter	Grey (D)	Perloff	Waldrop
Casey	Hill	Porter	Wood

—35

Nays:

Mr. Speaker	Boutwell	Cottingham	Ellis
Adams	Brassell	Crawford	Erdreich
Agee	Callahan	Drake	Falkenburg
Bank	Connell	Easters	Fite
Benton	Coshatt	Edwards	Flippo

Gafford	Jones (F)	May	Stubbs
Goodwin	King	Mims	Turner
Gray (F)	Kinsey	Owens	Turnham
Hale	Lang	Pruitt	Wallace
Hardin	McCluskey	Reed (T)	Warren
Harris	McDonald	Reynolds	Wise
Headley	McNair	Robertson	Wynot
Jackson	Mathews	Smith (P)	

—51

BILLS ON THIRD READING RESUMED

And the bill:

H. 204. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commission of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividend and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Was taken up.

H. 204 POSTPONED

On motion of Mr. Owens, the bill, H. 204, was postponed to the twenty-fifth legislative day.

And the bill:

H. 795. Relating to mobile home safety, making it unlawful to occupy a mobile home unless it is anchored to resist certain wind loads; providing the Alabama State Fire Marshal with authority to promulgate rules and regulations to enforce this act and providing criminal penalties for its violation.

Was taken up.

H. 795 POSTPONED

On motion of Mr. Jones (F), the bill, H. 795, was postponed to the twenty-fifth legislative day.

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And the bill:

H. 700. To provide that a retired member of the State Employees' Retirement System may earn up to \$4,800 from any source without affecting their retirement pay.

Was taken up.

Mr. Merrill offered the following amendment to the bill:

Amend House Bill 700 by deleting the following words in Section 1:

"or any other source."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Culver	Lang	St. John
Adams	Downing	Lutz	Smith (K)
Adwell	Drake	McCluskey	Smith (P)
Barkett	Easters	McDonald	Snell
Barron	Edwards	McMillan	Stewart
Benton	Ellis	McNair	Stokes
Boutwell	Erdreich	May	Stubbs
Bowers	Falkenburg	Meeks	Taylor
Brassell	Fite	Merrill	Therrell
Burgess	Gafford	Mims	Turner
Carnes	Goodwin	Naramore	Turnham
Carter	Grainger	O'Daniel	Waggoner
Casey	Gray (F)	Owens	Waldrop
Cauthen	Grey (D)	Perloff	Wallace
Chesnut	Hale	Porter	Warren
Coshatt	Harris	Pruitt	Weeks
Cottingham	Hughes	Reynolds	Williams
Crawford	Jackson	Roberts	Wood
Cross	Jones (F)	Robertson	Wynot
Crowe	King		

—78

And the bill, H. 700, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 11.

Yeas:

Messrs.:	Crawford	Grey (D)	McMillan
Adwell	Cross	Hale	Mathews
Barron	Culver	Harris	Merrill
Boles	Doss	Headley	Mims
Boutwell	Downing	Hughes	Naramore
Bowers	Drake	Jackson	Owens
Brassell	Edwards	Jones (F)	Perloff
Burgess	Ellis	King	Reynolds
Callahan	Erdreich	Kinsey	Roberts
Carnes	Falkenburg	Lang	Robertson
Carter	Fite	Lutz	St. John
Casey	Goodwin	McCluskey	Smith (K)
Chesnut	Grainger	McCorquodale	Smith (P)
Coshatt	Gray (F)	McDonald	Stewart

Stokes
Stubbs
Taylor
TherrellTurnham
Waggoner
WaldropWallace
Warren
WeeksWilliams
Wood
Wynot

—68

*Nays:*Messrs.:
Barkett
CauthenCottingham
Crowe
EastersFlippo
Gafford
HillPorter
Pruitt
Turner

—11

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Burgess and Wallace, unanimous consent was granted for their names to be added as co-sponsors to the bills, H. 700 and H. 804.

And the bill:

H. 804. To provide that a retired member of the Teachers' Retirement System of Alabama may earn up to \$4,800 from any source without affecting their retirement pay.

Was taken up.

Mr. Merrill offered the following amendment to the bill:

Amend House Bill 804 by deleting the following words in Section 1:

"or any other source."

And the amendment was adopted.

Yeas 80; Nays 1.

*Yeas:*Messrs.:
Adams
Adwell
Agee
Barkett
Barron
Benton
Boles
Boutwell
Bowers
Brassell
Burgess
Callahan
Carnes
Carter
Casey
Chesnut
Coshatt
Cottingham
Crawford
CrossCrowe
Doss
Downing
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Harris
Headley
Hughes
Jackson
Jones (F)King
Kinsey
Lang
Lutz
McBride
McCluskey
McDonald
McMillan
McNair
Mathews
May
Merrill
Mims
Naramore
O'Daniel
Owens
Perloff
Porter
Reid (R)
ReynoldsRoberts
Robertson
St. John
Smith (K)
Smith (P)
Stewart
Stokes
Stubbs
Taylor
Therrell
Turner
Turnham
Waggoner
Waldrop
Wallace
Warren
Weeks
Williams
Wood
Wynot

—80

Nay: Mr. Cauthen.

—1

REGULAR SESSION
23rd Day

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And the bill, H. 804 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Barkett	Easters	Lang	Smith (K)
Barron	Edwards	Lutz	Smith (P)
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	McNair	Taylor
Brassell	Gafford	Mathews	Therrell
Burgess	Goodwin	Merrill	Turnham
Callahan	Grainger	Mims	Waggoner
Carnes	Gray (F)	Naramore	Waldrop
Carter	Grey (D)	O'Daniel	Wallace
Casey	Hale	Owens	Warren
Chesnut	Hardin	Parker	Weeks
Coshatt	Harris	Perloff	Williams
Cottingham	Headley	Porter	Wood
Crawford	Hughes	Reid (R)	Wynot

—80

Nays: Messrs. Cauthen and Pruitt.

—2

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Snell moved to reconsider the vote by which the bill, H. 1521, was passed, and the motion was adopted.

And the bill:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2052) as last amended. "An Act fixing the compensation of the deputy solicitor of Chambers County."

Was again taken up.

H. 1521 POSTPONED

On motion of Mr. Snell, the bill, H. 1521, was postponed to the twenty-eighth legislative day.

BILLS ON THIRD READING RESUMED

And the bill:

H. 874. To amend Title 48, Sections 215, 216, 217, 222, and 223, Alabama Code 1940, which provides for the appointment and exercise of powers of Railway Policemen, so as to provide the Governor power to enter into reciprocal agreements with other states, allowing Railway Policemen to exercise their power and authority in other states; to allow such policemen to register with the Secretary of State.

Was taken up.

23rd Day

Mr. Stubbs offered the following amendment to the bill:

Section 3, Section 217 of Title 48, Alabama Code 1940, is amended to read as follows:

"Section 217. A railroad policeman may exercise the same powers of arrest and the right to bear firearms that may be exercised by any state, municipal or other police officer in this state, but only with respect to offenses committed against property owned or in the possession of the railroad by which he is employed, or for any offense committed on such property."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crawford	King	Reynolds
Adams	Cross	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Smith (K)
Barkett	Edwards	McCluskey	Smith (P)
Barron	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Therrell
Bowers	Flippo	Mathews	Turner
Brassell	Goodwin	May	Turnham
Burgess	Grainger	Meeks	Waggoner
Callahan	Gray (F)	Merrill	Waldrop
Carnes	Grey (D)	Naramore	Wallace
Carter	Hale	O'Daniel	Warren
Casey	Harris	Owens	Weeks
Chesnut	Hill	Parker	Williams
Connell	Hughes	Porter	Wise
Coshatt	Jackson	Pruitt	Wood
Cottingham	Jones (F)	Reed (T)	Wynot

—80

And the bill, H. 874 as thus amended, was read a third time at length and passed, and ordered sent to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Casey	Gray (F)	McNair
Adams	Coshatt	Grey (D)	Mathews
Adwell	Cottingham	Hale	May
Agee	Crawford	Harris	Meeks
Barkett	Cross	Hill	Merrill
Barron	Doss	Hughes	Mims
Benton	Downing	Jackson	Naramore
Boles	Edwards	Jones (F)	O'Daniel
Boutwell	Ellis	King	Owens
Bowers	Erdreich	Kinsey	Parker
Brassell	Falkenburg	Lang	Porter
Burgess	Fite	Lutz	Pruitt
Callahan	Flippo	McCluskey	Reed (T)
Carnes	Goodwin	McCorquodale	Reynolds
Carter	Grainger	McMillan	Robertson

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Smith (K)	Therrell	Waldrop	Williams
Smith (P)	Turner	Wallace	Wise
Snell	Turnham	Warren	Wood
Stewart	Waggoner	Weeks	Wynot
Stubbs			

—77

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 161. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 886. To provide for privileged communications with clergymen.

Having been previously amended on the twentieth legislative day, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 14.

Yeas:

Messrs.:	Cross	Hobbie	Reid (R)
Adams	Crowe	Hughes	Reynolds
Adwell	Doss	Jackson	Robertson
Agee	Downing	Jones (F)	St. John
Bank	Drake	King	Smith (K)
Barron	Edwards	Kinsey	Smith (P)
Benton	Ellis	Lutz	Snell
Boles	Erdreich	McBride	Stewart
Boutwell	Falkenburg	McCluskey	Stubbs
Bowers	Fite	McDonald	Therrell
Brassell	Flippo	McMillan	Turner
Burgess	Goodwin	McNair	Turnham
Callahan	Grainger	Merrill	Waldrop
Carnes	Gray (F)	Mims	Wallace
Carter	Grey (D)	O'Daniel	Warren
Chesnut	Hale	Owens	Weeks
Connell	Hardin	Parker	Williams
Coshatt	Harris	Porter	Wise
Cottingham	Headley	Pruitt	Wynot
Crawford	Hill	Reed (T)	

—78

Nays:

Mr. Speaker	Mathews	Perloff	Stokes
Barkett	May	Roberts	Waggoner
Casey	Meeks	Slate	Wood
Cauthen	Nettles		

—14

And the bill:

H. 312. To amend Code of Alabama 1940, Title 7, Section 1035, relating to civil remedies and procedure, so as to provide for garnishment of certain salaries after final judgment in cases of child support.

Was taken up.

Mr. Perloff offered the following amendment to the bill:

Amend H. B. 312 so that in that portion of the bill commencing with the words "Section 1035" all verbage in that section shall be deleted after the words "ex delicto" where it first appears.

And the amendment was adopted.

Yeas 70; Nays 10.

Yeas:

Messrs.:	Doss	Lang	Robertson
Adams	Downing	Lutz	St. John
Agee	Ellis	McBride	Slate
Barkett	Erdreich	McMillan	Smith (K)
Barron	Fite	Mathews	Snell
Benton	Flippo	May	Stokes
Bowers	Goodwin	Meeks	Therrell
Brassell	Grainger	Merrill	Turner
Burgess	Gray (F)	Mims	Turnham
Carnes	Grey (D)	Naramore	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Harris	Parker	Wallace
Cauthen	Hill	Perloff	Warren
Chesnut	Hughes	Porter	Weeks
Connell	Jackson	Pruitt	Wise
Cottingham	Jones (F)	Reed (T)	Wood
Crawford	King	Reynolds	Wynot
Cross	Kinsey	Roberts	

—70

Nays:

Mr. Speaker	Callahan	McCluskey	Nettles
Boles	Falkenburg	McNair	Stewart
Boutwell	Hobbie		

—10

MOTION TO ADJOURN LOST

The motion offered by Mr. Fite that the House adjourn until 12:00 o'clock noon, Tuesday, July 31, 1973, was lost.

Yeas 33; Nays 43.

Yeas:

Mr. Speaker	Downing	McDonald	Reynolds
Adams	Drake	Mathews	St. John
Barkett	Easters	Merrill	Smith (K)
Boles	Edwards	Naramore	Stewart
Bowers	Fite	O'Daniel	Turnham
Brassell	Goodwin	Pruitt	Weeks
Burgess	Lang	Reed (T)	Williams
Casey	McCorquodale	Reid (R)	Wood
Crowe			

—33

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Nays:

Messrs.:	Cross	Lutz	Roberts
Adwell	Doss	McCluskey	Slate
Agee	Ellis	McMillan	Stokes
Barron	Erdreich	McNair	Stubbs
Benton	Falkenburg	May	Taylor
Boutwell	Flippo	Mims	Therrell
Carnes	Grainger	Nettles	Waggoner
Carter	Hale	Owens	Waldrop
Cauthen	Hill	Parker	Warren
Chesnut	Jackson	Perloff	Wynot
Connell	King	Porter	

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H. 312 RESUMED

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Mr. Hobbie that the bill, H. 312 as amended, be indefinitely postponed, was lost.

Yeas 24; Nays 53.

Yeas:

Mr. Speaker	Hobbie	McNair	Stewart
Boles	Hughes	Mims	Stubbs
Boutwell	Jackson	Nettles	Taylor
Burgess	Lutz	Owens	Turnham
Drake	McCluskey	Slate	Wallace
Headley	McCorquodale	Smith (P)	Warren

—24

Nays:

Messrs.:	Cross	Lang	
Adams	Doss	McBride	Robertson
Agee	Downing	McDonald	St. John
Barkett	Easters	McMillan	Smith (K)
Barron	Ellis	Mathews	Snell
Bowers	Erdreich	May	Stokes
Brassell	Fite	Meeks	Therrell
Carnes	Flippo	Naramore	Turner
Carter	Goodwin	Parker	Waggoner
Casey	Grainger	Perloff	Waldrop
Cauthen	Grey (D)	Porter	Williams
Chesnut	Hale	Pruitt	Wood
Connell	Hardin	Reid (R)	Wynot
Crawford	Hill		

—53

And the bill, H. 312 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 19.

Yeas:

Messrs.:	Benton	Casey	Cross
Adams	Bowers	Cauthen	Doss
Agee	Brassell	Chesnut	Downing
Barkett	Carnes	Connell	Easters
Barron	Carter	Crawford	Ellis

Erdreich	Lang	Parker	Stokes
Fite	Lutz	Perloff	Stubbs
Flippo	McBride	Porter	Therrell
Goodwin	McDonald	Pruitt	Turner
Grainger	McMillan	Reed (T)	Waggoner
Grey (D)	Mathews	Reid (R)	Waldrop
Hardin	May	Reynolds	Williams
Headley	Meeks	Slate	Wood
Hill	Merrill	Smith (K)	Wynot
King	Naramore	Snell	

—58

Nays:

Mr. Speaker	Hobbie	McNair	Smith (P)
Boles	Hughes	Mims	Stewart
Boutwell	Jackson	Nettles	Taylor
Drake	McCluskey	Owens	Warren
Hale	McCorquodale	St. John	

—19

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

And said Bill, H. B. 524, as thus amended by the Report of the Committee on Conference, was again read at length and passed.

And said Bill, H. B. 524, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion offered by Mr. Crawford that the House adjourn until 2:00 o'clock p.m. Tuesday, July 31, 1973, was lost.

Yeas 45; Nays 49.

Yeas:

Mr. Speaker	Connell	Goodwin	Mims
Adams	Crawford	Grey (D)	O'Daniel
Agee	Crowe	Harris	Perloff
Barkett	Dill	Kinsey	Pruitt
Benton	Downing	Lang	Reid (R)
Bowers	Drake	McCorquodale	Reynolds
Brassell	Easters	McDonald	St. John
Burgess	Edwards	Mathews	Slate
Casey	Fite	Merrill	Smith (K)

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Snell	Timmons	Warren	Williams	
Stewart	Turnham	Weeks	Wood	
Therrell				—45

Nays:

Messrs.:	Ellis	Jackson	Parker	
Adwell	Erdreich	King	Porter	
Bank	Falkenburg	Lutz	Roberts	
Barron	Flippo	McBride	Robertson	
Callahan	Gafford	McCluskey	Smith (P)	
Carnes	Grainger	McMillan	Stokes	
Carter	Gray (F)	McNair	Stubbs	
Cauthen	Hale	May	Taylor	
Chesnut	Hardin	Meeks	Turner	
Coshatt	Headley	Naramore	Waggoner	
Cottingham	Hill	Nettles	Waldrop	
Cross	Hobbie	Owens	Wynot	
Doss	Hughes			—49

MOTION TO SUSPEND RULES LOST

The motion of Mr. Slate to suspend the rules in order to bring up out of order the bill, H. 1095, was lost, lacking a four-fifths vote.

Yeas 55; Nays 20.

Yeas:

Messrs.:	Crowe	McDonald	Robertson	
Adams	Downing	McMillan	St. John	
Adwell	Easters	May	Slate	
Benton	Edwards	Meeks	Snell	
Boles	Erdreich	Mims	Stewart	
Boutwell	Grainger	Naramore	Stokes	
Brassell	Gray (F)	Nettles	Stubbs	
Burgess	Grey (D)	Parker	Taylor	
Callahan	Hale	Perloff	Therrell	
Casey	Harris	Porter	Turner	
Cauthen	Headley	Pruitt	Turnham	
Chesnut	Hill	Reed (T)	Waggoner	
Coshatt	King	Reid (R)	Warren	
Cottingham	Lutz	Roberts	Wood	
				—55

Nays:

Mr. Speaker	Carter	Hughes	McCorquodale	
Agee	Connell	Jackson	Merrill	
Barkett	Drake	Lang	Owens	
Barron	Ellis	McBride	Waldrop	
Carnes	Goodwin	McCluskey	Wynot	
				—20

BILLS ON THIRD READING RESUMED

And the bill:

H. 387. To increase available funds for the financing of residential housing for persons and families of low and moderate income through the creation of a public corporation of the State with public and corporate powers to be known as the Alabama Housing Development Corporation; de-

fining its duties, powers, authorizing the purchase by the Alabama Housing Development Corporation of existing mortgages from "mortgage lenders" within the state and authorizing loans by the Alabama Housing Development Corporation to "mortgage lenders" within the state for the purpose of furnishing and providing funds for new residential mortgages for persons and families of low and moderate income; authorizing the issuance of bonds and notes of the corporation to assist in the financing of such housing and providing for the terms, security, payment and taxation thereof.

Was taken up.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Reed (T), unanimous consent was granted for his name to be removed as co-sponsor to the bill, H. 387.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:25 P.M. on July 26, 1973.

H. 708

H. 556

H. 917

H. 460

H. 768

H. 582

H. 870

H. 219

H. J. R. 27

H. J. R. 112

H. J. R. 127

H. J. R. 138

H. J. R. 114

H. J. R. 129

H. J. R. 135

H. J. R. 136

H. J. R. 137

H. J. R. 142

H. J. R. 143

H. J. R. 144

H. J. R. 146

H. J. R. 147

H. 307

H. J. R. 151

H. J. R. 152

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24th Day

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H. J. R. 153
H. J. R. 154

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Reynolds, the House adjourned until 2:00 o'clock p.m., Tuesday, July 31, 1973.

Yeas 48; Nays 35.

Yeas:

Mr. Speaker	Crawford	Kinsey	Robertson
Adams	Doss	Lang	St. John
Agee	Downing	McCorquodale	Slate
Barkett	Drake	McDonald	Smith (K)
Benton	Easters	Mathews	Snell
Brassell	Edwards	May	Stewart
Burgess	Fite	Merrill	Therrell
Callahan	Goodwin	Mims	Turnham
Casey	Grey (D)	Owens	Warren
Cauthen	Headley	Perloff	Weeks
Connell	Hughes	Reid (R)	Williams
Cottingham	Jackson	Reynolds	Wood

—48

Nays:

Messrs.:	Culver	Hobbie	Parker
Adwell	Ellis	King	Roberts
Barron	Erdreich	Lutz	Smith (P)
Boutwell	Falkenburg	McCluskey	Stokes
Carnes	Flippo	McMillan	Stubbs
Carter	Grainger	McNair	Taylor
Chesnut	Hale	Meeks	Waldrop
Coshatt	Hardin	Naramore	Wise
Cross	Hill	Nettles	Wynot

—35

TWENTY-FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 31, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend A. F. Beasley, Retired Methodist Minister.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-third legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-third legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended,

which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1530. To amend Section 3 of Act No. 96, H. 17, approved 1971, Special Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

H. 1505. Relating to state revenue: To exempt fuel oil purchased for use in chemically converting raw materials prior to their use in an electrolytic or electrothermal process from sales and use taxes.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1384. (With Amendment): To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices, and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports

of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1351. To make appropriations from the state treasury to the use of the Department of Conservation and Natural Resources, Game and Fish Division, for purposes of land acquisition and capital outlay for the fiscal years ending September 30, 1974 and 1975.

H. 1054. To provide for the levy and collection of a special annual property tax of 5¢ per acre on wooded or timber land which would be paid into the Alabama Forestry Commission Fund.

H. 1055. To propose a constitutional amendment that would allow 5¢ per acre annual property tax to be levied on all wooded or timber land to be used for the state forestry program.

The above bill was read a second time at length as required by the Constitution.

H. 1206. To make an appropriation to the State Auditor to be used to cover the costs of the convention of State Auditors, State Comptrollers, and State Treasurers to be held in Alabama in 1974.

H. 1137. To amend Section 1 of Act No. 648, S. 518, Regular Session 1949, Acts 1949, p. 991, as amended.

H. 1136. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

H. 1138. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

H. 1014. To create a commission called The Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1973-75 biennium; providing for transportation facilities for the commission and for expenses of the commission.

H. 1315. To amend Section 343 of Title 55, Code of Alabama 1940, Recompiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment.

H. 1345. To authorize Alabama Public School and College Authority to sell and issue one hundred twenty million dollars (\$120,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

H. 1087. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

H. 300. To further amend Section 1 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958), as amended, which relates to the definitions under the State employees' retirement to provide that "average final compensation" for such employees be computed on the basis of the best three years of the last ten years of creditable service.

H. 389. To amend section 2 of Act No. 419, H. 459, Special Session of the Alabama Legislature of 1966 (Acts 1966, p. 564) entitled "To exempt fuel and supplies used aboard commercial fishing vessels from sales and use taxes"; so as to redefine the term "commercial fishing vessels."

H. 1401. To amend Act Number 755 of the Regular Session of the Legislature of 1967 as amended by Act 1943 of the 1971 Regular Session of the Legislature relating to Supernumerary Tax Assessors, Collectors, License Commissioners and other officials by changing their requirements, qualifications and compensation.

H. 394. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1349. (With Amendment): Relating to income tax exemptions; to exempt from payment of income taxes, certain gains received from the sale of any residence when the gain from such sale is used to purchase a new residence for the seller; and to further provide for exemption from tax for a portion of the gain from the sale of a residence by a person 65 years old or older when no new residence is purchased.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1239. Relating to counties having a population of not less than 34,100 nor more than 34,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1064. To provide that all former Governors of the State of Alabama upon reaching age sixty (60) shall be entitled to monthly retirement pay out of the General Fund of the State Treasury.

H. 1572. To provide for the establishment of regional mental health-mental retardation facilities to furnish aid to all aspects of mental retardation-mental illness, including but not limited to alcoholism, drug addiction, and epilepsy; to authorize such corporations to implement programs and to construct, maintain, equip, and operate facilities; to provide that such programs and facilities be used in accordance with standard and criteria established by the State Board of Health and the Alabama Mental Health Board; to provide for the powers, authorities, and duties of such corporations; to authorize the said corporations to enter into contracts with any agency for the purpose of carrying into effect the above; to authorize local governing bodies to appropriate monies for the support of such facilities and programs; to provide specific local funds to carry out the above; to repeal and supersede Act No. 310, H. 591, Regular Session 1967 (Acts 1967, p. 853).

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

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H. 611. (With Substitute): To provide for an appropriation from the Alabama special educational trust fund to be used for the construction, erection and equipping of a junior college to be built in Russell County, Alabama and to provide that any funds not expended in one fiscal year shall be carried forward and expended in the next fiscal year.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 989. (With Amendment): To provide for the creation, staffing, and functioning of a fiscal office to serve both houses of the Legislature and the members thereof.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 600. To amend Section 665(2) of Article 5a of Chapter 20, Title 51, Code of Alabama, 1940, as amended, so as to exempt from the operation of said excise tax "motor fuel" used in motor vehicles devoted exclusively by a municipality or a county to road or street maintenance within said city or county, or to the collection and disposal of garbage, refuse, trash, or other waste material.

H. 348. To provide that county or city boards of education shall grant personal leave to teachers.

H. 1612. To authorize Alabama Public School and College Authority to sell and issue \$27,000,000.00 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sales thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds from proceeds of the residue of certain excise taxes to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, the moneys so appropriated and pledged, and will not create a debt or obligation of the limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivision, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

H. 339. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

H. 298. To further amend Section 5 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Section 460, Code of Alabama 1940, Recompiled 1958), as amended, relating to the State employees' and state policemen's retirement benefits, to increase the percentage used in computing such benefits for state employees to two per centum, and for state policemen to two and three quarters per centum.

H. 1063. To make an additional appropriation to the Alabama Board of Nursing for the fiscal year ending September 30, 1973.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 286. (With Substitute): To provide per diem allowance for state officers.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 985. To amend further Title 51, Section 21, Alabama Code 1940, by further exempting from taxation any tree, bush, vine or other growing thing from which a crop is harvested.

H. 1319. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to redefine the term "all property of utilities" and thereby except therefrom the property of railroads, freight lines and equipment companies engaged in the business of leasing railroad equipment, and so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 421. (With Amendment): To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeal, and circuit court judges.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1435. To amend Title 51, Section 2 (f), Code of Alabama 1940, as amended, which relates to exemptions to the state ad valorem tax, so as to provide an exemption for surviving spouses of blind persons.

H. 1557. To amend further Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), an Act levying additional privilege or license taxes in Tuscaloosa County, so as to exempt tangible personal property purchased outside this county from the use tax levy.

H. 816. To amend Section 366 of Title 52 of the Code of Alabama 1940 as amended to provide an increase in the retirement allowances of members of the Teachers' Retirement System of Alabama.

H. 485. To amend Section 458, Title 55, 1940 Code of Alabama, as amended, to permit a retired State Policeman to accept employment within any Department or Agency of the state government of Alabama without being required to become or remain a member of the state retirement system as a condition of their employment, or be denied retirement benefits otherwise earned as a state policeman during such term of employment in a classified position other than state policeman.

H. 1392. To levy in Choctaw County a county privilege tax upon the leasehold interest of every person engaging in the business of producing or severing oil, with a gravity of 25° or higher, American Petroleum Institute Scale, or gas or other hydrocarbons, with a gravity of 25° or higher, American Petroleum Institute Scale, from the soil or the waters, or from beneath the soil or the waters of Choctaw County, which tax shall be in addition to all other taxes, including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, P. 20) or Act No. 205, H. 451, approved October 1, 1971, (Acts 1971, P. 3317) to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used in the general fund of Choctaw County; and to prescribe additional penalties for certain violations.

H. 1567. To include members of the State Board of Pardons and Paroles under the State Employees Retirement System; to provide that each member shall be eligible for coverage under the system from the date on which he assumed his office, if necessary contributions are made.

H. 805. To amend Section 402 of Title 51, Code of Alabama of 1940, so as to provide for the deduction of certain dividends received by domestic and foreign corporations.

H. 840. To provide that county highway employees of any county of the State who are members of the State Employees' Retirement System as a result of the responsibility for the construction, repair or maintenance of all county roads or bridges within such county being assumed by the State Highway Department or any other agency of the State, shall, at the employee's option, be entitled to receive credit for service with such county in such capacity rendered prior to becoming a member of the Employees' Retirement System provided such county highway employee pays into such Retirement System the required amount of contributions and interest for such period of

service with the county and provided that such county highway employee pays into the retirement system of the employer's amount of contribution and interest, unless the county elects to pay this amount; to provide that the Board of Control of the Employee's Retirement System shall adopt rules and regulations and shall fix and determine the accredited service and the amount to be contributed to the Retirement System by such employee and the county where he served; to provide that after the effective date of this act any such county highway employees who become members of the Employees' Retirement System shall be entitled to the provisions of this act.

H. 1298. To amend Section 6, Act No. 160, Third Special Session 1971, approved January 19, 1972, providing for the manner and method by which statewide property reappraisal shall be carried out and employment of appraisal firms as consultants.

H. 879. To make annual appropriations for the support of each certified regional planning and development commission in Alabama for each of the fiscal years ending September 30, 1974 and September 30, 1975.

H. 1425. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, p. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judicial Circuit, so as to further regulate the compensation of said deputy district attorney.

H. 3. To amend Section 1 of Act No. 2128, S. 5, 1971 Regular Session approved September 20, 1971, entitled "To provide sales and use tax exemptions for certain medicines purchased by prescription," so as to extend the tax exemption to persons who are retired due to permanent and total disability, regardless of age, and to give the Commissioner of the State Department of Revenue certain duties and powers in connection therewith.

H. 824. A bill to exempt the Mobile County Law Enforcement Association, a non-profit corporation organized under the laws of Alabama, from all state, county and municipal sales taxes.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 256. (With Substitute): To provide that a school teacher or public employee employed by a public school system, the State Board of Education, the State Department of Education, State Senior Colleges and Universities, State Junior Colleges, State Vocational Technical Schools, the Alabama Commission of Higher Education and the Alabama Education Study Commission or any other State educational institution or agency, shall continue to draw his full salary for a certain period when incapacitated as a direct result of an on the job injury; to provide that payment of such benefits shall not exhaust his accumulated sick leave and to authorize standards for carrying out the provisions of this Act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal decennial census.

H. 315. To provide that medical services furnished needy persons under any State and/or Federal laws or plans shall include such services performed by Chiropractors.

H. 295. To amend Title 52, Section 341, Code of Alabama, 1940, to provide that the county or city superintendent may excuse a teacher from attendance at institute held prior to the beginning of the school term and to further provide that when such absence is due to sickness the teacher may be granted sick leave in accordance with policies governing such leave on any regularly scheduled work day.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1105. (With Amendments): To provide a service fee for tax assessors and tax collectors for assessing and collecting ad valorem taxes on motor vehicles.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 11. To provide that any county governing body and sheriff's department in such county shall be empowered and authorized to enter into an agreement or contract with the State Department of Public Safety to establish and maintain a helicopter ambulance service in certain participating counties; and to authorize the expenditure of public funds for the establishment and maintenance of said service.

H. 375. To make an appropriation from the state treasury for the relief of Harry V. Schmidt.

H. 1558. To authorize the Alabama Public School and College Authority to sell and issue \$5,475,000 aggregate principal amount of additional bonds for capital improvements for Auburn University, and more particularly to modernize the Agricultural Experiment Station by relocating and developing modern new field research facilities for the Main Station and certain facilities at certain outlying stations, to provide a base for a major expansion in agriculture and forestry; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the

principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

H. 349. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1281. (With Amendment): To establish in the Alabama State Board of Health a program for the care of persons suffering from chronic renal diseases, designating powers and duties in relation thereto, and making an appropriation therefor.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1571. To make a conditional appropriation for Capital Outlay purposes at the University of Alabama in Birmingham for the 1974-75 biennium.

H. 834. To allow officers of the International Association of Firefighters and Fraternal Order of Police time off with pay to attend scheduled meetings of these organizations.

H. 1122. To provide for a uniform payment of cost of collections to the Department of Revenue for collecting county and municipal sales, use, and privilege license taxes.

H. 1616. To make a conditional appropriation for capital outlay purposes at the University of Alabama located in Tuscaloosa, Alabama for the 1973-75 biennium.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following

bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 323. (With Substitute): To make appropriations from the State Treasury for capital improvements.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 761. (With Amendments): Relating to the teaching of optometry; defining profession and practice of optometry; and authorizing the State Board of Optometry to issue teaching permits to teach the profession and practice of optometry under certain conditions.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 762. (With Amendment): Relating to the profession and practice of optometry; amending Sections 197 and 205 of Title 46, Code of Alabama of 1940 (as previously amended); providing for the examination and licensing of optometrists; providing for the issuance of license certificates and annual registration certificates; prescribing the qualifications of persons who may apply for licensing; providing for the collection and disbursement of examination and other fees and charges; providing for continuing education as a prerequisite for annual registration certificates.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 578. (With Amendment): To further amend Section 12, Title 52, Code of Alabama 1940, as amended, which section relates to the meetings of members of the state board of education, so as to provide for monthly meetings by members of said board.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 863. To require the State Board of Education to compel all elementary schools which are located in the same school system with an accredited high school, or whose students shall attend an accredited high school, to obtain accreditation from the State Board of Education.

H. 1254. To further amend Section 2 of Act No. 470, S. 182, Regular Session 1969, (Acts 1969, p. 912), as amended, which section relates to the regulation of the payment of expenses of state officers and employees traveling on official business for the state, so as to exempt state junior college personnel from having to secure the approval of the Governor for out of state travel expenses.

S. 137. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

S. 138. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

S. 149. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

S. 162. To amend Section 333 of Title 52 of the Code of Alabama, Recompiled 1958 and 1969, which provides for the charging of a fee for the issuance of teacher certificates and sets the amount of the fee and for the repeal of Section 350 of Title 52, Code of Alabama, Recompiled 1958 and 1969, providing for the disposition of fees paid by the applicants for teachers certificates.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 195. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of the reappraisal of property in that county required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of certain taxes and other revenues and funds; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; and to provide for the sharing of payment of the principal of and interest on such warrants by all entities receiving any part of the proceeds from ad valorem taxation of property in said county.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 881. (With Amendment): To provide further for the manner of incorporation for unincorporated territory.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1670. To designate The Annie Lee Cherry Gymnasium at the George C. Wallace State Technical Junior College.

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Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 457. To provide additional exemptions from the sales and use taxes levied in Marion County under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460).

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 960. (With Amendment): Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for refinancing of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1039. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1330. (With Amendment): Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1040. To provide additional compensation for each of the official court reporters of the Ninth Judicial Circuit.

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1622. (With Amendment): To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1145. (With Substitute) (With Amendments): To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 1,000 feet from the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty

per cent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of three-fourths of the members of such governing body.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1671 (With Amendment): To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1700. To amend the Title and Sections 4, 6, and 8 of Act No. 87, S. 40, Third Special Session 1971 (Acts 1971, p. 4299), which relates to certain schools and/or courses of instruction publicized, sold, offered for sale and/or administered to residents of this State; prescribing certain requirements relative to the operations of schools and students; and providing exceptions to the application of the act, so as to transfer certain responsibilities from the State Board of Education to the State Department of Education; to clarify certain definitions and exemptions; to provide further for the security bond required for certain schools coming under the act and for the advisory board to advise in the administration of the act.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

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S. J. R. 6. APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Also:

H. J. R. 164. NAMING HIGHWAY 47 IN BALDWIN COUNTY "GULF SHORES PARKWAY"

And the resolutions were adopted.

RESOLUTIONS

The following resolutions introduced on the twenty-third legislative day were read by title pursuant to Joint Rule 12:

S. J. R. 77. COMMENDING MR. JAMES HAYWOOD AND THANKING HIM AND OTHERS FOR THE JACKSONVILLE STATE UNIVERSITY LUAU

H. J. R. 163. IN APPRECIATION OF THE SERVICE OF MR. O. C. HELMS UPON HIS RETIREMENT

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 165. BE IT RESOLVED BY THE HOUSE that the following business in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS

H. J. R. 164 Naming Highway 47 in Baldwin County "Gulf Shores Parkway"

S. J. R. 6. Applying to the Congress for a convention to propose an amendment to the Constitution of the United States

H. B. 1095 Page 126 Additional Judge for the Eighth Judicial Circuit

H. B. 399 Page 104 State Budget Officer

H. B. 499 Page 4 Regulation of Elections in Municipalities

H. B. 500 Page 5 Regulation of Elections in Municipalities

H. B. 852 Page 10 Official State Gem

H. B. 1025 Page 16 Domestic Stock Life Insurance Company Capital and Surplus

H. B. 1026 Page 16 Department of Insurance Receivership Division

H. B.	977	Page 19	Property Tax Classification Act Amendment
H. B.	212	Page 21	Franchise Tax on Foreign Corporations
H. B.	447	Page 28	Inspection Fee Amendment in Treatment or Preservation of Wood Products
H. B.	516	Page 29	Fees Prescribed for Secretary of State
H. B.	518	Page 29	Filing Fees Under Alabama Business Corporation Act
H. B.	735	Page 35	Air Pollution Control Commission and Water Improvement Commission Personnel Policies
H. B.	1211	Page 109	Control, Reduction or Elimination of Air or Water Pollution
H. B.	1212	Page 110	Control, Reduction or Elimination of Air or Water Pollution
H. B.	1213	Page 111	Control, Reduction or Elimination of Air or Water Pollution
H. B.	1214	Page 111	Control, Reduction or Elimination of Air or Water Pollution
H. B.	1215	Page 112	Control, Reduction or Elimination of Air or Water Pollution
H. B.	1216	Page 113	Control, Reduction or Elimination or Air of Water Pollution
H. B.	790	Page 36	Peace Officers Retirement System Amendments
H. B.	1536	Page 127	Regulation of Sale of Livestock at Public Livestock Auction Markets
H. B.	653	Page 125	Supernumerary Circuit Judges
H. B.	243	Page 61	State Board of Auctioneers
H. B.	1005	Page 134	Uniform Military Code
H. B.	828	Page 38	Care for Tuberculosis Patients
H. B.	860	Page 39	Forest Products Severance Tax
H. B.	825	Page 46	Payment of Certification Fees by Nurses and Teachers
H. B.	1059	Page 113	State Merit System Employees—Annual and Sick Leave
H. B.	1060	Page 114	State Merit System Employees—Insurance Costs
H. B.	1131	Page 48	Inspection of Slaughter of Cattle, Sheep, Etc.
H. B.	1134	Page 54	Official Fresh Water Fish

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H. B.	1133	Page	54	Advisory Board of Conservation and Natural Resources
H. B.	1165	Page	56	Penalty for Hunting Without License
H. B.	1125	Page	56	Rename State Bureau of Publicity and Information
H. B.	950	Page	57	Incarceration of Law Enforcement Officers
H. B.	1164	Page	58	Hunting deer from public waters
H. B.	1163	Page	58	Resident Fishing Licenses
H. B.	1161	Page	59	Licenses to Capture fur bearing animals
H. B.	1130	Page	59	Penalty for Hunting during closed seasons
H. B.	1273	Page	62	Workmen's Compensation Benefits
H. B.	1259	Page	64	Unemployment Compensation Benefits
H. B.	1258	Page	65	Board of Appeals of Department of Industrial Relations
H. B.	1304	Page	65	Redefinition of murder in the first degree
H. B.	1405	Page	69	Relieving disabilities of a minority
H. B.	1356	Page	78	Egg Products Inspection Act
H. B.	711	Page	78	Deductions from sentences for good behaviour
H. B.	510	Page	79	Municipal Ambulance Services
H. B.	1069	Page	80	Transfer of State Docks Funds
H. B.	895	Page	81	Licensing of employment agencies
H. B.	1158	Page	101	State Lands Division of Department of Conservation
H. B.	1159	Page	101	State Lands Division of Department of Conservation
H. B.	419	Page	118	Local School Advisory Committee
H. B.	1312	Page	120	Non Resident Hunting and Fishing Licenses
H. B.	1311	Page	120	Non Resident Hunting Licenses
H. B.	1313	Page	121	Non Resident Fishing Licenses
H. B.	952	Page	132	Veterans Preference
H. B.	953	Page	133	Military Service—Employees Retirement System
H. B.	1583	Page	129	Oil and Gas Law Establishing Drilling Units
H. B.	1585	Page	130	Intergrating Oil and Gas Interests
H. B.	1584	Page	130	Increase Permit Fee for Oil and Gas Well

H. B.	329	Page 87	Highway Budget
H. B.	330	Page 87	Highway Budget Acceleration
H. B.	979	Page 66	Public Highways
H. B.	669	Page 33	Uniform Disposition of unclaimed and abandoned property amendment
H. B.	414	Page 89	Legislative Building
H. B.	1004	Page 131	County Contracts with Federal Government
H. B.	991	Page 103	Sheriff's Retirement System
H. B.	1114	Page 49	Pensions and Securities
H. B.	1113	Page 49	Pensions and Securities
H. B.	1112	Page 49	Pensions and Securities
H. B.	1111	Page 50	Pensions and Securities
H. B.	1110	Page 50	Pensions and Securities
H. B.	1109	Page 50	Pensions and Securities
H. B.	1108	Page 51	Pensions and Securities

MOTION TO SUSPEND RULES

Mr. Drake moved to suspend the rules in order to place the resolution for immediate adoption.

SUBSTITUTE OFFERED

Mr. Cauthen offered the following substitute to the resolution, H. R. 165:

BE IT RESOLVED BY THE HOUSE, That the following business in the order named be made special, paramount and continuing order of business, for the twenty-fifth legislative day, taking precedence over any other business of the House:

UNCONTESTED LOCAL BILLS

H. J. R. 164. Naming Highway 47 in Baldwin County "Gulf Shores Parkway"

S. J. R. 6. Applying to the Congress for a convention to propose an amendment to the Constitution of the United States

H. B. 1095 Page 126 Additional Judge for the Eighth Judicial Circuit

H. B. 399 Page 104 State Budget Officer

H. B. 499 Page 4 Regulation of Elections in Municipalities

H. B. 500 Page 5 Regulation of Elections in Municipalities

H. B. 852 Page 10 Official State Gem

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H. B.	1025	Page 16	Domestic Stock Life Insurance Company Capital and Surplus
H. B.	1026	Page 16	Department of Insurance Receivership Division
H. B.	977	Page 19	Property Tax Classification Act Amendment
H. B.	212	Page 21	Franchise Tax on Foreign Corporations
H. B.	447	Page 28	Inspection Fee Amendment in Treatment or Preservation of Wood Products
H. B.	516	Page 29	Fees Prescribed for Secretary of State
H. B.	518	Page 29	Filing Fees Under Alabama Business Corporation Act
H. B.	735	Page 35	Air Pollution Control Commission and Water Improvement Commission Personnel Policies
H. B.	1211	Page 109	Control, Reduction or Elimination of Air or Water Pollution
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H. B.	1216	Page 113	Control, Reduction or Elimination of Air or Water Pollution
H. B.	790	Page 36	Peace Officers Retirement System Amendments
H. B.	1536	Page 127	Regulation of Sale of Livestock at Public Livestock Auction Markets
H. B.	653	Page 125	Supernumerary Circuit Judges
H. B.	243	Page 61	State Board of Auctioneers
H. B.	1005	Page 134	Uniform Military Code
H. B.	828	Page 38	Care for Tuberculosis Patients
H. B.	860	Page 39	Forest Products Severance Tax
H. B.	825	Page 46	Payment of Certification Fees by Nurses and Teachers
H. B.	1059	Page 113	State Merit System Employees—Annual and Sick Leave

Costs	H. B.	1060	Page 114	State Merit System Employees—Insurance
	H. B.	1131	Page 48	Inspection of Slaughter of Cattle, Sheep, Etc.
	H. B.	1134	Page 54	Official Fresh Water Fish
Resources	H. B.	1133	Page 54	Advisory Board of Conservation and Natural
	H. B.	1165	Page 56	Penalty for Hunting Without License
information	H. B.	1125	Page 56	Rename State Bureau of Publicity and Infor-
	H. B.	950	Page 57	Incarceration of Law Enforcement Officers
	H. B.	1164	Page 58	Hunting deer from public waters
	H. B.	1163	Page 58	Resident Fishing Licenses
	H. B.	1161	Page 59	Licenses to Capture fur bearing animals
	H. B.	1130	Page 59	Penalty for Hunting during closed seasons
	H. B.	1273	Page 62	Workmen's Compensation Benefits
	H. B.	1259	Page 64	Unemployment Compensation Benefits
al Relations	H. B.	1258	Page 65	Board of Appeals of Department of Industri-
	H. B.	1304	Page 65	Redefinition of murder in the first degree
	H. B.	1405	Page 69	Relieving disabilities of a minority
	H. B.	1356	Page 78	Egg Products Inspection Act
ior	H. B.	711	Page 78	Deductions from sentences for good behav-
	H. B.	510	Page 79	Municipal Ambulance Services
	H. B.	1069	Page 80	Transfer of State Docks Funds
	H. B.	895	Page 81	Licensing of employment agencies.
ervation	H. B.	1158	Page 101	State Lands Division of Department of Con-
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	H. B.	419	Page 118	Local School Advisory Committee
	H. B.	1312	Page 120	Non Resident Hunting and Fishing Licenses
	H. B.	1311	Page 120	Non Resident Hunting Licenses
	H. B.	1313	Page 121	Non Resident Fishing Licenses
	H. B.	952	Page 132	Veterans Preference

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H. B.	953	Page 133	Military Service—Employees Retirement System
H. B.	1583	Page 129	Oil and Gas Law Establishing Drilling Units
H. B.	1585	Page 130	Intergrating Oil and Gas Interests
H. B.	1584	Page 130	Increase Permit Fee for Oil and Gas Well
H. B.	329	Page 87	Highway Budget
H. B.	330	Page 87	Highway Budget Acceleration
H. B.	979	Page 66	Public Highways
H. B.	669	Page 33	Uniform disposition of unclaimed and abandoned property amendment
H. B.	414	Page 89	Legislative Building
H. B.	1004	Page 131	County Contracts with Federal Government
H. B.	991	Page 103	Sheriff's Retirement System
H. B.	1114	Page 49	Pensions and Securities
H. B.	1113	Page 49	Pensions and Securities
H. B.	1112	Page 49	Pensions and Securities
H. B.	1111	Page 50	Pensions and Securities
H. B.	1110	Page 50	Pensions and Securities
H. B.	1109	Page 50	Pensions and Securities
H. B.	1108	Page 51	Pensions and Securities

SUBSTITUTE TABLED

On motion of Mr. Drake, the substitute offered by Mr. Cauthen for the resolution, H. R. 165, was tabled.

Yeas 46; Nays 30.

Yeas:

Mr. Speaker	Crawford	McBride	St. John
Adams	Culver	McCorquodale	Slate
Adwell	Drake	McDonald	Smith (K)
Bank	Easters	Mathews	Snell
Boutwell	Edwards	May	Therrell
Brassell	Fite	Merrill	Turner
Callahan	Harris	Mims	Turnham
Carnes	Headley	Owens	Waggoner
Casey	Hearn	Reed (T)	Wallace
Collins	Hobbie	Reynolds	Williams
Connell	Jackson	Robertson	Wynot
Cottingham	Kinsey		

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Nays:

Messrs.:	Cauthen	Dill	Falkenburg
Barron	Chesnut	Downing	Flippo
Benton	Cross	Erdreich	Grey (D)

Hale
Hill
Hughes
King
LangMcMillan
McNair
Manley
Meeks
NaramoreNettles
Porter
Roberts
Stewart
StokesStubbs
Taylor
Timmons
Wise

—30

MOTION TO TABLE LOST

The motion offered by Mr. Cauthen to table the resolution, H. R. 165, was lost.

RESOLUTION ADOPTED

On motion of Mr. Drake, the rules were suspended and the resolution, H.R. 165, was adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Mathews (With Notice and Proof):

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Local Legislation No. 1.

**A BILL
TO BE ENTITLED
AN ACT****STATE OF ALABAMA
COUNTY OF COOSA**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Coosa County Commission may, at its discretion, levy a tax in addition to that allowed by law on all persons, firms, and corporations, selling, distributing or delivering to retailers in Coosa County any malt or brewed beverages (including beer, lager, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) provided the total amount of all such tax levied by the county under this Act or any other provision of law shall not exceed five (5) cents on each twelve (12) fluid ounces or fractional part thereof of such beverages sold or distributed within the county.

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Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. Frank Clayton Publisher, of the ALEXANDER CITY OUTLOOK published bi-weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 23, 1973, and ending with the issue dated June 13, 1973.

J. FRANK CLAYTON.

Subscribed and sworn before me this 14th day of June, 1973.

VONCILLE M. DEAN,
Notary Public.

My Commission expires January 23, 1975.

By Mr. Owens (With Notice and Proof):

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Local Legislation No. 1.

Notice and Proof H. 1705:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. At the expiration of the terms of office presently held by the incumbent members of the governing body of Bibb County, the salary of each member of said body shall be \$500.00 per month, and each member shall receive \$100.00 per month in addition to the salary as expense allowance. Both salary and expense allowance shall be payable from the county treasury and shall be the total compensation of such members; and shall be in lieu of any salary, fee or compensation heretofore prescribed by law.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.

Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,

Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

Local Legislation No. 1.

Notice and Proof H. 1706:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the

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sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 3, 4, 5 and 6 of Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577) are hereby amended to read as follows:

"Section 3. The sheriff of Bibb County shall with the approval of the county governing body, appoint a chief deputy whose salary shall be fixed by the governing body at not less than \$600.00 nor more than \$800.00 per month.

"Section 4. The sheriff shall, with the approval of the county governing body appoint three deputies whose salary shall be fixed by the governing body at not less than \$350.00 nor more than \$700.00 per month each.

"Section 5. The sheriff shall, with the approval of the county governing body appoint a secretary whose salary shall be fixed by the governing body at not less than \$300.00 nor more than \$500.00 per month.

"Section 6. The sheriff shall, with the approval of the county governing body, appoint two jailers, whose salary shall be fixed by the governing body at not less than \$350.00 nor more than \$600.00 per month."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 1707:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Bibb County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all action taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1.

Notice and Proof H. 1708:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) After the Bibb County governing body has determined that such a need does exist in Bibb County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax of five cents per acre to be paid by the owners of forest lands located in Bibb County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The need for such a financial charge or tax to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two consecutive weeks by advertisement in a newspaper of general circulation in Bibb County. Such advertisement must indicate the date, time, and place of the hearing, the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Bibb County may appear in person or by attorney at such time and place and make defense against such financial charge or tax or the amount thereof. After such hearing the county governing body shall determine the amount of such financial

charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as herein defined, shall make report of same to the tax assessor Bibb County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non payment of ad valorem taxes.

Section 5. The county governing body of Bibb County is authorized to appoint agents and delegate authority to individuals to search out forest lands in Bibb County, determine the area and owners thereof, and report same to the tax assessor of Bibb County who shall be authorized, after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge or tax against said forest lands as may be determined by the report of such agents or the determination of said county governing body.

Section 6. The tax herein imposed shall be due and payable quarterly to the state department of revenue, and shall, when collected, be paid by such department into the state treasury, and accredited to Bibb County. All monies collected in accordance with this Act shall be spent in participating in the Alabama Forestry Commission's forest fire protection program in Bibb County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

J. W. OAKLEY, JR.

Sworn to and subscribed before me July 30, 1973.

FRANCES N. BAKER,
Notary Public.

REGULAR SESSION
24th Day

2147

By Mr. Owens:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Owens (With Notice and Proof):

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1710:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Centreville in Bibb County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to-wit:

PARCEL NUMBER ONE

Begin at the Northwest corner of the Northeast $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Township 23 North, Range 9 East, Bibb County, Alabama, thence Southerly along West boundary of said quarter section to the intersection of the South right-of-way of Bibb County Road 28, thence Southerly along the West boundary of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 22 to the Southwest corner of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 22, thence Easterly parallel to the North boundary of Section for a distance of 660 feet to a concrete monument the point of the beginning; thence North 78 degrees and 02 minutes East for a distance of 1,485 feet to iron pipe; thence continue North 78 degrees 02 minutes West for a distance of 1,007 feet to a point that is 500 feet Westerly of the center line of Alabama Highway 219 and the present City limits of Centreville, Alabama, thence Southerly and parallel to Alabama Highway 219 to the intersection of the South boundary of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 23, Township 23 North, Range 9 East; thence Easterly along the South boundary of the North $\frac{1}{2}$ of said $\frac{1}{4}$ Section to the center of said $\frac{1}{4}$ Section which is the West boundary of the present city

limits; thence South along the present boundary of Centreville City limits for a distance of 3,077 feet to the intersection of the South boundary of Section 23, Township 23 North, Range 9 East; thence West along the South boundary of Section 23 to the SE corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23; thence South along the West Boundary of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 26, Township 23 North, Range 9 East of the present Centreville City Limits line for a distance of approximately 1800 feet to the intersection of Ashworth property; thence North 77 degrees 17 minutes West to a concrete post on the West Boundary of Section 26 and East Boundary of Section 27; thence North along Section line to the NW Corner of Section 26; thence westerly along the South Boundary of Section 22 for a distance of approximately 1,980 feet to an iron pipe and the City Limits of Brent, Alabama; thence North to the intersection of the North Boundary of the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, Township 23 North, Range 9 East; thence Easterly along the North Boundary of the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22 to a point 660 feet West of the East Boundary of Section 22; thence North parallel to the East Boundary of Section 22 to the center of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Township 23 North, Range 9 East and the point of beginning; all in Bibb County, Alabama.

PARCEL NUMBER TWO

The SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 11, Township 23 North, Range 9 East, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ less 5,739 acres in the NE Corner sold to Hathcock and all that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying West of Alabama Highway No. 219 in Section 14, Township 23 North, Range 9 East; all in Bibb County, Alabama.

PARCEL NUMBER THREE

Begin at the Southwest Corner of Section 11, Township 23 North, Range 9 East, Bibb County, Alabama, thence East to the Southeast Corner of the Southwest quarter of the Southwest quarter Section 11, thence North to the Northeast Corner of the Southwest quarter of Northwest quarter. Section 11, Township 23 North, Range 9 East, thence West along the Northern boundary of the Southwest quarter of the Northwest quarter to the Northwest Corner, thence South along section line to the Northeast Corner of the Northeast quarter of the Southeast quarter, Section 10, thence West to the Northwest Corner of the Northwest quarter of the Southeast quarter or the center of Section 10, thence South to the Northeast Corner of the Southeast quarter of the Southwest quarter of Section 10, thence West along the Northern Boundary of the Southeast quarter of Southwest quarter to the Northwest Corner, thence South along the Western Boundary of said quarter section to the Southwest Corner of the Southeast quarter of Southwest quarter of Section 10, thence East along Northern Boundary of Section 15 to the Northwest Corner of the Northwest quarter of Northeast quarter of Section 15, thence South to the Southwest Corner of the Northwest quarter of the Northeast quarter of Section 15, thence East to the Southeast Corner of the Northwest quarter of the Northeast quarter Section 15, thence South to a point that is 557.3 feet North of the Southwest corner of the Southeast quarter of Southeast quarter of Section 15, said point is also 750 feet Northerly from Bibb County Road No. 28, thence Southeasterly along a curve to the right having a radius of 2,660.08 feet to a point that is 750 feet Northerly of PT Station 61+80.1 back equal to 62+75.6 ahead, thence South 66 degrees 55 minutes East parallel to the center line of Bibb County Road No. 28 for a distance of 1,174.6 feet to a point that is 750 feet perpen-

dicular of and Northerly of PC Station 74 + 50.2, thence Southeasterly along a curve to the left having a radius of 1,160.08 feet for a distance of 364.4 feet to a point that is 750 feet northerly of PT Station 80 + 50.2, thence South 84 degrees 55 minutes East parallel to the center line of Bibb County Road No. 28 for a distance of 700.4 feet to a point that is 750 feet Northerly of and perpendicular to Bibb County Road No. 28, also PC Station 87 + 50.6, thence Southeasterly parallel to Bibb County Road No. 28 and along a curve to the right having a radius of 2,182.69 feet to a point that is 500 feet Westerly of the centerline of Alabama Highway No. 219 and the intersection of the present City Limits, thence Northerly along the present City Limit Line and parallel to Alabama Highway No. 219 to the intersection of the Southern Boundary of the Northeast quarter of the Southwest quarter of Section 14, Township 23 North, Range 9 East, said intersection point is 500 feet Westerly of the Center line of Alabama Highway No. 219, thence Westerly along the South Boundary of the Northeast quarter of the Southwest quarter of Section 14 and the Southern Boundary of the Northwest quarter of the Southwest quarter of Section 14 to a point that is 660 feet West of the Southeast Corner of the Northwest quarter of the Southwest quarter of Section 14, thence Northerly and parallel to the section line to the intersection of the Southern Boundary of the Southwest quarter of Northwest quarter of Section 14, thence Easterly to the Southeast Corner of the Southwest quarter of the Northwest quarter of Section 14, thence Northerly to the Northeast Corner of the Southwest quarter of the Northwest quarter, thence Westerly along the Northern Boundary of said quarter section to the intersection of section line, thence Northerly along section line to the Northwest quarter of the Section 14, and the Southwest Corner of Section 11, the point of beginning, all in Bibb County, Alabama.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

J. W. OAKLEY, JR.

Sworn to and subscribed before me July 30, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Local Legislation No. 1.

Notice and Proof H. 1711:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Be It Enacted by the Legislature of Alabama:

Section 1. The jury commission of Bibb County is hereby authorized to meet an additional 15 work days per year, if such commission deems it necessary for the performance of its duties. Said 15 days shall be in addition to all work day limits heretofore prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Local Legislation No. 1.

Notice and Proof H. 1712:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Be It Enacted by the Legislature of Alabama:

Section 1. No claim presented to the Bibb County Commission under Code of Alabama 1940, Title 12, Section 110 or Title 12, Section 111, need be sworn to and no testimony need be presented as to whether any part of such claim has been previously paid as is required by Code of Alabama 1940, Title 12, Section 115, however, all such claims must be accurately and fully itemized.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost

to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Local Legislation No. 1.

Notice and Proof H. 1713:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Be It Enacted by the Legislature of Alabama.

Section 1. The boundary lines and corporate limits of the City of Brent in Bibb County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to-wit:

Begin at the Northwest corner of the Northeast quarter of the Northeast quarter of Section 22, Township 23 North, Range 9 East, Bibb County, Alabama; thence Southerly along the West boundary of said quarter-quarter section to the intersection of the South right-of-way line of Bibb County Road No. 28, the point of beginning; thence go in a Southerly direction along the West boundary of the $E\frac{1}{2}$ of the $NE\frac{1}{4}$ of said Section 22 to the Southwest corner of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 22; thence Easterly parallel to North boundary of said Section for a distance of 660 feet to a concrete monument; thence North 78 degrees and 02 minutes East for a distance of 1,485 feet to iron pipe; thence continue North 78 degrees 02 minutes West for a distance of 1,007 feet to a point that is 500 feet Westerly of the centerline of Alabama Highway No. 219; thence run Northerly and parallel to the centerline of Alabama Highway No. 219 to a point on the South right-of-way of Bibb County Road No. 28, said point being 500 feet Westerly of said Highway; thence run North 64 degrees 43 minutes West along South boundary of Bibb County Road No. 28 for a distance of 105 feet to a concrete right-of-

way marker stamped PT 92+55.6; thence North 69 degrees 09 minutes West for a distance of 211.8 feet to a point on South right-of-way of said Bibb County Road No. 28; thence South 70 degrees 51 minutes West for a distance of 257.2 feet; thence South 25 degrees 20 minutes West for a distance of 186.9 feet; thence South 50 degrees 57 minutes West for a distance of 156.2 feet; thence South 77 degrees 11 minutes West for a distance of 212.3 feet; thence South 0 degrees 55 minutes West for a distance of 627 feet; thence run South 78 degrees 02 minutes West for a distance of 1,485 feet; thence run Northerly parallel to East Section line to intersection of South right-of-way of Bibb County Road No. 28; thence run Westerly along the South right-of-way of Bibb County Road No. 28 to the point of beginning.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1714. To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Local Legislation No. 1.

Notice and Proof H. 1714:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge, the circuit clerk, the tax assessor, and the tax collector of Bibb County shall receive, in equal monthly installments from the general fund of the county, the following annual salaries:

- | | |
|---|-------------|
| (A) judge of probate | \$16,500.00 |
| (b) tax assessor | \$11,500.00 |
| (c) tax collector | \$11,500.00 |
| (d) circuit clerk when also serving duties as register—\$11,500.00 (however, when not serving as register he shall receive a salary of only \$9,100.00) | |

Said salaries shall be the entire compensation received by any of the above county officers for his services in any official and any ex officio capacity and shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid to any officers, except as provided herein.

Section 2. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, shall hereafter be collected and paid into the general fund of the county, except as provided hereinafter.

Section 3. The governing body of Bibb County shall provide each of the above officers with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Except as hereinafter provided, compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 4. The tax collector shall be entitled to receive commissions on taxes in accordance with the provisions of Title 51, Section 191, Code of Alabama Recompiled 1958, on all taxes collected by him through December 31, 1973. He shall also be entitled to an allowance of \$600.00 per year for clerk hire, which shall be in addition to any allowance now payable, and said allowance or such portion thereof, as is needed, shall be payable directly to such clerk or clerks as may be hired pursuant to this section.

Section 5. The tax assessor shall be entitled to receive from the tax collector $\frac{1}{4}$ (25 percent) of commissions as provided for in Title 51, Section 30, Code of Alabama Recompiled 1958, for 1974 assessments, on all regular assessments; including real estate and personal property for corporations and public utilities. The above commissions to be based on net taxes collected. (Insolvents, Errors; Litigations and Homesteads or other taxes which the

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Collector has been unable to collect are not subject to commissions). Commissions on motor vehicle assessments shall be paid to the assessor through December 31, 1973. The tax assessor shall also receive an allowance of \$1200.00 per year for clerk hire, which shall be in addition to any now payable and said allowance or such portion thereof, as is needed, shall be payable directly to such clerk or clerks as may be hired pursuant to this section.

Section 6. The probate judge shall be entitled to two clerks, whose salaries shall be paid from the general fund of the county. One such clerk shall receive a monthly salary not to exceed \$600.00 per month and payable directly to said clerk; and the other clerk shall receive a monthly salary not to exceed \$400.00 per month payable directly to said clerk.

Section 7. The circuit clerk shall receive an annual clerk hire allowance of \$400.00 per month, payable from the general fund of the county directly to said clerk or clerks as may be hired by the circuit clerk of Bibb County.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective on the first day of the first month beginning after the ratification of an amendment to the Constitution authorizing a law regulating the compensation of certain officials of Bibb County, provided that a majority of qualified electors of Bibb County voting at the Constitutional Amendment election voted in favor of such amendment.

If a majority of the qualified electors of said county voting at said election voted against such amendment, then this Act shall have no force or effect.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

J. W. OAKLEY, JR.

Sworn to and subscribed before me July 30, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Local Legislation No. 1.

Notice and Proof H. 1715:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Be It Enacted by the Legislature of Alabama:

Section 1, Section 1 of Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), is hereby amended to read as follows:

"Section 1. The members of the county board of education of Bibb County shall each be entitled to expenses in the amount of \$17.50 per month. Such allowance shall be in addition to all other allowances provided by law and shall be payable from the public school funds of the county at the end of each month."

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the

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State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof) :

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Local Legislation No. 1.

Notice and Proof H. 1716:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), is hereby amended to read as follows:

"Section 4. Each commissioner of the county governing body shall receive a monthly salary of \$300, and \$300 per month expense allowance, both payable from the county treasury."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

J. W. OAKLEY, JR.,

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

Local Legislation No. 1.

Notice and Proof H. 1717:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Hale County; providing for the election of the associate members of the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. In Hale County the associate members of the county commission, Board of Revenue or other like governing bodies of such county, shall reside in and be a qualified elector of the district he represents but all such members shall be elected by the qualified electors of the county.

Section 2. The county shall remain in four districts numbered on through four. District No. 1 shall be composed of beats 2, 12, 16, and all of beat 1 lying west of Alabama State Highway 69. District No. 2 shall be composed of beat 6 and all of beat 4, from the north beat 4 boundary line, lying west of Alabama State Highway 69 south to Hale County Highway 24, and all of beat 4 lying north of Hale County Highway 24, to the west boundary line of beat 4. District 3 shall be composed of beats 5, 7, 8, 9, all of beat 4 lying west of Alabama State Highway 61 south from the intersection of Alabama State Highway 14, all of beat 4 lying south of Alabama State Highway

14 from the intersection of Alabama State Highway 69 to Alabama State Highway 61, all of beat 4 lying east of Alabama State Highway 69 South of the intersection of State Highway 14 down to Hale County Highway 24, then all of beat 4 lying south of Hale County Highway 24. District 4 shall be composed of beats 3, 10, 11, 13, all of beat 1 lying east of Alabama State Highway 69, all of beat 4 lying east of Alabama State Highway 61 south from the intersection of Alabama State Highway 14, all of beat 4 lying north of Alabama State Highway 14 east to Alabama State Highway 61, from the intersection of Alabama State Highway 69, all of beat 4 lying east of Alabama State Highway 69 from the north beat 4 boundary line south to the intersection of Alabama State Highway 14. The word "beats" as used here in means the election beats or precincts into which the county is divided pursuant to law on the date on which this act becomes law.

Section 3. The members shall be elected for overlapping terms. Clifton Abernathy, Jr., shall serve district 1, Harry W. Drake shall serve district 2, Goldsby Tucker shall serve district 3, and John B. Stokes shall serve district 4. Members of the governing body in districts 2 and 3 shall be elected at the general election held in 1976. Members of district one and four shall be elected at the general election held in 1974; each member shall take office on the first Monday after the second Tuesday in January next following their election. All members of the governing body shall serve for four year terms.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me July 26, 1973.

WILLIE L. ARRINGTON,
Notary Public.

By Mr. Owens:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

Local Legislation No. 1.

By Mr. Owens (With Notice and Proof):

H. 1719. To authorize the establishment of branch banks in Hale County.

Local Legislation No. 1.

Notice and Proof H. 1719:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the establishment of branch banks in Hale County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, whose principal place of business is located in Hale County, shall have the power to establish, maintain, and operate within the limits of said county, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

EDWARD E. LOWRY, JR.

REGULAR SESSION
24th Day

2161

Sworn to and subscribed before me July 26, 1973.

WILLIE L. ARRINGTON,
Notary Public.

By Mr. Owens (With Notice and Proof):

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 1720:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Hale County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 12, 19, and 26, all in the year 1973.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me July 26, 1973.

WILLIE L. ARRINGTON,
Notary Public.

By Messrs. Collins, Downing and Callahan (With Notice and Proof):

H. 1721. To authorize the County Commission of Mobile County to make appropriations for the support, operation, maintenance, improvement and expansion of the Greater Mobile Safety Council in Mobile County for the use and benefit of the public.

Local Legislation No. 3.

Notice and Proof H. 1721:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the County Commission of Mobile County to make appropriations for the support, operation, maintenance, improvement and expansion of the Greater Mobile Safety Conference in Mobile County for the use and benefit of the public.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission of Mobile County is authorized to make appropriations from the General Fund of the County for the use, operation, maintenance, improvement and expansion of the Greater Mobile Safety Conference, being operated and maintained for the use and benefit of the public in Mobile County. Such appropriations may be made in such amounts and on such schedule of payments as the County Commission shall in its discretion determine.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 9, 16, 23, and 30, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 30th day of July 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. McCluskey (With Notice and Proof):

H. 1722. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county,

upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Local Legislation No. 1.

Notice and Proof H. 1722:

LEGAL NOTICE

Notice is hereby given that a Bill, substantially as follows, will be introduced in the Legislature of the State of Alabama and application made for its passage.

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places of business at any place, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in any city or town in Talladega County may establish, maintain and operate additional offices or additional places of business at any place, in cities or towns wholly or partly in such county having not less than 1200 inhabitants, according to the last or any subsequent federal decennial census, upon approval of the State Superintendent of Banks or of the Comptroller of the Currency provided however, that no bank may establish, maintain or operate such a branch or additional office or place of business within any such city or town in which a bank is already established.

Section 2. All laws or parts of laws which conflict with this Act are repealed, and specifically repealed are the provisions of Code of Alabama 1940, Title 5, Section 125 as to such cities and towns recited in Section one of this Act in Talladega County.

Section 3. This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. E. Blake, Publisher, of the Childersburg Star published weekly at Childersburg do solemnly swear that a copy of the notice, as per clipping attached, was published once in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated March 23, 1972, and ending with the issue dated April 13, 1972.

J. E. BLAKE.

Subscribed and sworn before me this 25th day of April, 1972.

CONRAD M. FOWLER,
Judge of Probate.

By Messrs. Grainger, Lutz, King, Hearn, Hale, Carter, Cross and Williams:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

Ways and Means.

By Messrs. Carnes, Waldrop and Wynot:

H. 1724. Applicable to any county having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; to restrict the issuance of licenses by the Alcoholic Beverage Control Board within such county.

Judiciary.

By Mr. Edwards:

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 12,800 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Local Legislation No. 1.

By Mr. Waggoner:

H. 1726. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

Local Legislation No. 2.

By Mr. Timmons:

H. 1727. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

Local Legislation No. 2.

By Mr. McCorquodale (With Notice and Proof):

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and

providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Local Legislation No. 1.

Notice and Proof H. 1728:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CLARKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court, in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clarke County Commission, in its discretion and upon its resolution duly adopted and recorded, shall be authorized to provide for the establishment of an inferior court for Clarke County which shall be in lieu of the existing Inferior Court of Clarke County and which shall be known as the Clarke County Inferior Court. Such court shall be established as hereinafter provided.

Section 2. Upon a resolution of the Clarke County Commission, duly adopted and recorded in its minutes, in favor of establishing an inferior court in lieu of the existing inferior court in Clarke County, the Clarke County Inferior Court shall be created. Such court shall have original jurisdiction concurrent with the circuit court of Clarke County of all misdemeanors committed in Clarke County, preliminary jurisdiction of all felonies concurrent with the jurisdiction heretofore exercised by justice of the peace courts of the county and by the Inferior Court of Clarke County; and it shall have all other jurisdiction which is now or may hereafter be conferred by general law upon the county courts of this state. Such court shall also have and exercise jurisdiction in an civil actions at law except actions of ejection, where the amount in controversy does not exceed \$1,000.00; and the jurisdiction of said court shall extend to and include, but not be limited to, all statutory actions for recovery of possession of land under Title 31, Chapter 3, Section 35 through 45, and Title 7, Chapter 26, Section 964 through 994, of the Code of Alabama as such statutes now exists or may hereafter be amended.

Section 3. A term of the Clarke County Inferior Court for the trial of both civil and criminal matters shall be held on the first Monday of every month; special sessions may be held at any time, except on Sunday, as the judge of the court may direct. All sessions of the court shall be held at the courthouse of the county, and may continue until the business of the court is disposed of. Said court shall be open at the discretion of the judge thereof any day during the week, except Sundays, for the trial of criminal offenses coming within its jurisdiction in all cases where the party or parties charged cannot give bond and security for their appearance at the regular terms of said court or desire an immediate trial. In such cases, causes may be continued for good cause shown under the regulations governing the continuance of causes in county courts; but nothing herein contained shall be so construed as to prevent or interfere with the regular terms of said court.

Section 4. The term of office of the judge of such court shall be six years and shall be concurrent with that of the Judge of Probate of the County; upon creation of such court, the Governor shall appoint the judge of such court to hold office upon expiration of the then current term of such Judge of Probate, and his successors shall be elected at the general election next preceding such expiration; provided, however, that if such court be created more than two years prior to expiration of the then current term, the judge so appointed shall hold office only until the next succeeding general election, at which a successor to such judge shall be elected for the remainder of the unexpired term; each such judge shall hold office until his successor is elected and qualified. It shall not be necessary that such judge be learned in the law, but he shall be a resident and qualified elector of the county at the time of his appointment or election and throughout his term of office.

Section 5. The Judge of the Clarke County Inferior Court shall receive an annual salary of \$6,000.00 payable in equal monthly installments out of the county treasury; and such salary shall be the only compensation allowed the judge of said court for services rendered in and about such court. Said judge shall have all the duties, powers and authority which are now or may hereafter be conferred by general law upon the judges of county courts of the state.

Section 6. The Clarke County Inferior Court shall not be a court of record, and appeals from the judgments rendered by said court may be taken to the circuit court of said county in the same way and in accordance with the same procedure as provided for appeals from the county courts of this state in criminal matters and as formerly provided for appeals from justice of the peace courts in civil matters.

Section 7. The clerk of the circuit clerk of the county shall be ex officio clerk of the Clarke County Inferior Court. He shall have all of the duties, powers and authority which are now or may hereafter be conferred by general law upon the clerks of county courts of the state; and in addition, he may take affidavits and complaints in misdemeanors cases and may issue warrants of arrest in such cases returnable to the court. Such complaints and warrants shall have the same legal force and effect as though the same had been taken or issued by the judge of said court.

Section 8. The clerk of the Clarke County Inferior Court shall receive as compensation for his services in said court the same costs, fees and compensation as are now allowed by law to clerks of county courts in criminal

cases, which shall be paid in like manner; in civil cases, he shall receive as compensation for his services in said courts the same costs, fees and compensation of are now allowed by law to clerks of the circuit court in civil cases, which shall be paid in like manner.

Section 9. The sherriff of Clarke County shall in person or by deputy attend upon the Clarke County Inferior Court, preserve order, execute all writs of process issued therefrom and perform such other duties as he is required by law to perform in the circuit court of the county. For services rendered by him, other than attendance upon said court, there shall be computed the same costs, fees and compensation as are allowed by law for similar services performed by sheriffs in both civil and criminal cases in the circuit courts of this state, which shall be paid in like manner, but shall be paid into the General Fund of the County when collected.

Section 10. The laws and rules governing practice and procedure in the county courts and formerly governing practice and procedure in justice of the peace courts while they existed, shall apply in the Clarke County Inferior Court; however, civil suits must be commenced by summons and complaint served on the defendant not less than 15 days before the return day thereof. Service of the summons and complaint must be executed by personal service of a copy thereof on the defendant. Court costs in criminal cases in the Clarke County Inferior Court shall continue to be taxed and collected as they are now or hereafter taxed and collected, and in civil cases the costs shall be the same as are now or hereafter provided by law or the Circuit Court of Clarke County.

Section 11. Upon the establishment of the Clarke County Inferior Court, all cases and actions pending in the Inferior Court of Clarke County shall, on the date of such establishment, be transferred to the Clarke County Inferior Court and shall proceed as though begun therein, whereupon the Inferior Court of Clarke County shall be abolished. As to judgments rendered by the abolished court, the court established in lieu of such court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 12. The provision of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this act are hereby repealed.

Section 14. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. W. McGevier, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without

cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

R. W. McGWIER.

Sworn to and subscribed before me July 19, 1973.

HAZEL KEEN,
Notary Public.

By Mr. Porter:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

Local Legislation No. 1.

By Messrs. Carnes, Wynot and Waldrop:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

Local Legislation No. 1.

By Mr. Fite (With Notice and Proof):

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

Local Legislation No. 1.

Notice and Proof H. 1731:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide additional exemptions from the Marion County sales and use tax law.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be exempted from the computation of the amount of the Marion County sales and use tax levied, assessed, or imposed by Act No. 115, H. 409, Regular Session 1949 (Acts of Alabama 1949, p. 139) the gross proceeds of the sale of ammonium nitrate used for blasting in the coal mining industry, which exemption shall be in addition to all other exemptions prescribed in or provided for by said Act No. 115 of 1949, as amended.

REGULAR SESSION
24th Day

2169

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first of the month next following the day of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

DON E. GIPSON.

Sworn to and subscribed before me July 27th, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

Local Legislation No. 1.

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6 of Act No. 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 6 of Act No. 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled as aforesaid, be and the same is hereby amended to read as follows:

"Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions and other allowances which the tax assessor, the tax collector of the county are now or hereafter by law authorized or directed to charge or collect for the performance of any duty hereby imposed on the county revenue commissioner; as compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of Fifteen Thousand Dollars (\$15,000), said salary shall be paid in equal monthly installments and out of any funds of the county available for such purpose.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Notice and Proof H. 1732:

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that copy of the attached advertisement appeared once a week for four successive weeks, April 20, 27, May 4, and 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1733:

A BILL
TO BE ENTITLED
AN ACT

To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the pay-

ment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Houston County, Alabama, may, after the effective date of this Act, employ the following deputies and clerks at the following rates of compensation, Viz; not less than one (1) Chief Deputy who shall receive not less than Eighty Seven Hundred Dollars (\$8,700) per annum; not less than Eleven (11) deputies and each shall receive not less than Seventy Two Hundred Dollars (\$7,200) per annum; not less than Three (3) deputies who shall serve as jailers each shall receive not less than Seventy Two Hundred Dollars (\$7,200) per annum; not less than one (1) Clerk with the Classification of Clerk I Bookkeeper deputy; who shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than one (1) clerk with the classification of Clerk II bookkeeper deputy, who shall receive not less than Fifty Four Hundred Dollars (\$5,400) per annum; not less than one (1) clerk with the classification of Clerk III Bookkeeper deputy, who shall receive not less than Fifty One Hundred Dollars (\$5,100) per annum; each of the above said deputies and clerks bookkeeper deputy shall be entitled to a five per cent increase of their total salary effective October 1, Effective October 1, 1975, each of the above said deputies and clerks bookkeeper deputy shall be entitled to a 5 per cent increase of their total salary and thereafter each of the deputies and clerks Bookkeeper Deputy shall be entitled to additional increases after each additional three year period of employment in amounts equal to not less than five per cent of their basic salary; such increases shall be subject to the approval of the Sheriff of said county.

Section 2. The deputies and clerks bookkeeper deputy provided for in this act shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Houston County, Alabama and out of funds available for such purposes, the board of commissioners of other like governing body of Houston County may in its discretion, provide for the payments of the compensation of the Chief Deputy and any of the other deputies to be paid in whole or in part from the County public Highway and traffic fund.

Section 3. The deputies and clerks Bookkeeper Deputy provided for in this act shall serve at the pleasure of the Sheriff and they shall be appointed by the Sheriff and shall perform such duties as the Sheriff may prescribe.

Section 4. The deputies and clerks employed in this act, before entering upon their duties, such deputies and clerks shall make bond payable to the Sheriff of said duties, such deputies and clerks shall make bond payable to the Sheriff of said county in the sum of Two Thousand Dollars (\$2,000) conditioned as required by Section 35, Title 41, Code of Alabama 1940, premiums on such bonds shall be payable from such funds as the County Commission or like governing body of Houston County prescribes.

Section 5. Nothing herein contained shall be construed as depriving the board of county commissioners or like governing body of Houston County of authority to provide additional deputies and clerks bookkeeper deputy as the Sheriff may require for the efficient conduct of his office and their compensation shall be fixed by the said county commissioners or like governing body of said county, the additional deputies and clerks shall come under the provisions of this Act.

Section 6. This Act shall supersede (Act 189, S. 379 page 503, Regular Session 1969) (Act No. 1102, H. 1935, page 1934, Regular Session 1971). All other laws or parts of laws which conflict with this act are repealed.

Section 7. The provisions of this act are severable, if any part is declared invalid or unconstitutional, such declaration shall not affect the part which remain.

Section 8. This act shall become effective October 1, 1973.

**STATE OF ALABAMA
HOUSTON COUNTY**

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, June 27, July 4, 6, and 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1734. Relating to Houston County, providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge, requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Local Legislation No. 1.

Notice and Proof H. 1734:

**STATE OF ALABAMA
COUNTY OF HOUSTON**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Houston County, providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties

and responsibilities of the tax assessor and tax collector to the probate judge, requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate shall perform all duties relative to the assessment and collection of taxes on motor vehicles in Houston County, which tax assessors and tax collector are required under the general law to perform. The tax assessor and tax collector shall be relieved of all duties and responsibility relative to the assessment and collection of taxes on such motor vehicles, and the judge of probate in Houston County shall have all duties and responsibilities relative to the assessment or collection of taxes and issuance of motor vehicle licenses. For the purposes of this act the term motor vehicle shall mean the same as defined in Code of Alabama 1940, Title 51, Chapter 20, Article 8, as amended.

Section 2. Before entering upon the additional duties imposed by this act, the judge of probate shall execute an additional bond in such penal sum as may be prescribed by the governing body of the county, giving as surety thereon a bonding company authorized to do business in this state. The bond shall be conditioned as other official bonds, shall be approved by the governing body of the county, and shall be filed and recorded in the office of the clerk of the circuit court of the county. A certified copy of such bond shall be paid from the general fund of the county.

Section 3. The county governing body shall furnish suitable quarters or such additional space if any be necessary for the efficient performance of the additional duties of the probate judge, and shall provide for the transfer of all necessary forms, books, records, stationery, supplies, and equipment from the respective offices of the tax assessor and tax collector to the office of the judge of probate as shall be pertinent to the transference of the duties and shall thereafter provide the same, except such stationery, forms and supplies as are furnished pursuant to law by the state department of finance or the state comptroller and the state department of revenue. The county governing body shall also provide such clerks, deputies and other assistants for the judge of probate as are necessary for the proper and efficient performance of the duties of his office. The judge of probate shall have authority to select, employ and discharge at will such clerks, deputies and other assistants and to fix their compensation; but the number and compensation of such deputies and other assistants shall be subject to the approval of the county governing body; such compensation shall be paid out of the general fund of the county in the same manner as other county employees are paid.

Section 4. The judge of probate shall charge and collect the same fee that is prescribed in the general law for a like service when performed by the tax assessor or the tax collector as the case may be. All such fees shall be the property of the county and shall be paid into general fund of the county.

Section 5. To prevent motor vehicles from escaping taxation, and to provide for the more efficient assessment and collection of taxes due on same, no license shall be issued to operate a motor vehicle on the public highways of this State, nor shall any transfer be made by the judge of probate as provided under this act until the ad valorem tax on such vehicle shall have been paid in the county for the preceding year as evidenced by receipt of the

judge of probate, if the motor vehicle belongs to a resident of the county or is principally used or operated in the county.

Section 6. A. Every person, firm or corporation residing in or owning a motor vehicle which is principally used in the county and who desires to operate a motor vehicle on the public highways of Alabama shall first return such motor vehicle for ad valorem taxation to the judge of probate; and the judge of probate shall issue a certificate of assessment on a form prescribed by the state department of revenue, shall collect the tax as shown thereon, and shall make a duplicate of the tax receipt and keep same on file in his office. The license tag shall be evidence of the payment of the license and ad valorem tax due as provided under this act.

B. Valuation for ad valorem assessment of motor vehicle shall be at the same rate and on the same basis as is provided in Code of Alabama 1940, Title 51, Chapter 20, Article 8, as heretofore or hereafter amended, and all provisions of law with respect to the assessment on a quarterly basis are hereby incorporated in this act and made a part hereof.

C. The judge of probate in addition to assessing and collecting the ad valorem taxes due the state and county on motor vehicles, he shall collect the ad valorem taxes on motor vehicles due all cities in the county and he shall report and pay over the money collected for the cities at the same time and in the same manner as state and county taxes and licenses are reported and paid over by him. The judge of probate shall receive a commission of five per cent of the amount of city taxes collected for assessing and collecting such taxes and he shall deduct said commission from the amount collected before paying the city treasury. The judge of probate shall not issue a license to operate a motor vehicle on the highways of this state until all ad valorem taxes due the said state, county and cities are paid for the preceding tax year as shown by his tax receipts.

Section 7. The said comptroller, the state department of revenue and the state department of finance are hereby required to furnish the judge of probate all books, records and blanks now or hereafter required by law to be furnished to probate judge, tax assessor and tax collector in connection with the performance of their duties in the issuance of automobile license plates and the assessment and collection of the ad valorem tax on motor vehicles.

Section 8. The judge of probate shall receive for the assessing and collecting of state and county ad valorem taxes on motor vehicles the same fees charged and commissions fixed by law to be paid to tax assessor and tax collector for like services. All such fees and commissions, including those charged for ad valorem taxes on motor vehicles due all cities in the county, shall be paid into the general fund of the county.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This act shall supersede Act No. 1857, H. 2653, page 3013 Regular session of the Legislature of Alabama 1971.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, April 20, 27, May 4, and 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

Local Legislation No. 1.

Notice and Proof H. 1735.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6 of Act No. 938, H. 1359, Regular session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 6 of Act No. 938, H. 1359, page 1674. Regular session of the Legislature of Alabama 1969, approved September 12, 1969, entitled as aforesaid, be and the same is hereby amended to read as follows:

"Section 6. As compensation for the performance of his duties the chairman of the board of commissioners shall receive a salary of Fifteen Thousand Dollars (\$15,000) per annum, and the commissioners shall each receive a salary of Forty Five Hundred Dollars (\$4,500) per annum. Such salaries shall be paid in equal monthly or semi-monthly installments as the salaries of other county officers and employees are paid, and shall be paid out of such fund or funds in the county treasury as specified by such board of commissioners. In addition to such salaries each commissioner shall also be entitled to receive from the county treasury an expense allowance of One Hundred Fifty Dollars (\$150) per month. The Chairman shall not receive an expense account.

Section 2. This act shall become effective upon the expiration of the term of the incumbent chairman and commissioners of said county.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, June 27, July 4, 6, and 11, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1736:

A BILL
TO BE ENTITLED
AN ACT

To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and

provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of Probate of Houston County, Alabama, may, after the effective date of this act, employ the following clerks and assistants at the following rates of compensations, Viz; not less than one (1) chief clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than Four (4) clerks whose classification shall be Clerk I, and each shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than two (2) clerks whose classification shall be Clerk II, and each shall receive not less than Five Thousand Four Hundred Dollars (\$5,400) per annum; not less than three (3) clerks whose classification shall be Clerk III, and each shall receive not less than Five Thousand One Hundred Dollars (\$5,100) per annum; not less than Thirty Six Hundred Dollars (\$3,600) per annum as a contingent fund to compensate and appoint extra clerks and assistants as he deems necessary to perform the duties of the office of Judge of Probate. Effective April 1, 1974, the following clerks and the contingent fund of this section shall be transferred to the commissioner of licenses of said county and shall continue with the same rate of compensation as set out in this Act; the clerks are, two (2) clerks with the classification of Clerk I, one (1) clerk with the classification of Clerk II and Three (3) clerks with the classification of Clerk III.

Section 2. The Governing body of Houston County, Alabama, may, after the effective date of this Act employ the following clerks and maintenance Engineer for the accounting department of the county at the following rates of compensations, Viz; not less than one (1) chief clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than one (1) maintenance Engineer who shall receive not less than Seventy Eight Hundred Dollars (\$7,800) per annum; not less than two (2) clerks whose classification shall be Clerk I, and each shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than three (3) clerks whose classification shall be Clerk II, and each shall receive not less than Five Thousand Four Hundred (\$5,400) per annum; not less than one (1) clerk whose classification shall be Clerk III, and who shall receive not less than Five Thousand One Hundred Dollars (\$5,100) per annum. The Governing body shall assign one (1) of the above said clerks to be Secretary to the chairman and clerk to the commission, one (1) clerk to the civil Defense Director of said county and one (1) clerk for the Typhus Control program of said county.

Section 3. The County revenue commissioner of Houston County, Alabama, may, after the effective date of this Act, employ the following clerks and assistants at the following rates of compensations, Viz; not less than one (1) Chief Clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than two (2) Clerks whose classification shall be Clerk I, and each shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than two (2) clerks whose classification shall be Clerk II, and each shall receive not less than Fifty Four Hundred Dollars (\$5,400) per annum; not less than two (2) clerks whose classification shall be Clerk III, and each shall receive not less than Fifty One Hundred Dollars (\$5,100) per annum; not less than Twenty Four Hundred Dollars (\$2,400) per annum, as a contingent fund to compensate and appoint

extra clerks and assistants as he deems necessary to perform the duties of the office of county revenue commissioner.

Section 4. The Clerk of the Circuit Court of Houston County, Alabama, may, after the effective date of this Act, employ the following clerks at the following rates of compensations, Viz; not less than one (1) Chief Clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than one (1) clerk whose classification shall be Clerk I, and shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than one (1) clerk whose Classification shall be Clerk II, and shall receive not less than Five Thousand Four Hundred Dollars (\$5,400) per annum; not less than two (2) clerks whose classification shall be Clerk III, and each shall receive not less than Fifty One Hundred Dollars (\$5,100) per annum.

Section 5. The Register of the Circuit Court of Houston County, Alabama, may, after the effective date of this act, employ the following clerks and assistants at the following rates of compensations, Viz; not less than one (1) Chief Clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than one (1) clerk whose classification shall be Clerk I, and shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than one (1) clerk whose classification shall be Clerk II and shall receive not less than Five Thousand Four Hundred Dollars (\$5,400) per annum.

Section 6. Each of the Chief Clerks and the clerks with classification of Clerk I, II, III and maintenance engineer of this act, having been employed continually with Houston County for the last Ten years up to the date this act is approved by the Governor and having not received an increase in salary of more than ten per cent of the basic salary of this act since April 1, 1973, each shall be entitled to an increase of not less than nor more than ten per cent of the basic salary as set out in this Act, the above said increases in salary shall become effective October 1, 1973. Effective October 1, 1974, each chief clerk, maintenance engineer and each clerk with the classification of clerk I, II and III of this act shall be entitled to an increase in salary of not less than five per cent of their total salary; Effective October 1, 1975, each chief clerk, maintenance engineer and each clerk with the classification of clerk I, II and III of this act shall be entitled to an increase in salary of not less than five per cent of their total salary and thereafter each chief clerk, maintenance engineer and each clerk with the classification of clerk I, II and III shall be entitled to additional increases after each additional three year period of employment in amounts equal to and not less than five per cent of the basic salary, such increases shall be subject to the approval of each elected official affected by this act.

Section 7. The Clerks, Maintenance Engineer and assistants provided for in this act shall serve at the pleasure of the appointing officers. Their salaries shall be paid in equal monthly installments from the general fund of Houston County upon separate warrants drawn in the manner provided for the payment of other employees of the county.

Section 8. Nothing herein contained shall be construed as depriving the board of county commissioners or like governing body of Houston County of authority to provide additional clerks and assistants as the officers herein named may require for the efficient conduct of their offices and their classification and compensation shall be fixed by the said county commission-

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ers or like governing body of Houston County, the additional clerks and assistants shall come under the provisions of this act.

Section 9. The provisions of this act are severable, if any part is declared invalid or unconstitutional such declaration shall not affect the part which remain.

Section 10. This Act shall supersede (Act No. 11, S. 88 page 35, Regular Session 1957) (Act No. 200, S. 168 page 598, Regular Session 1963) (Act No. 444 H. 338, page 1116, Regular Session 1967). All other laws or parts of laws which conflict with this act are repealed.

Section 11. This Act shall become effective October 1, 1973.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, June 27, July 4, 6, and 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

Local Legislation No. 1.

A BILL
TO BE ENTITLED
AN ACT

To provide compensation for the Court bailiff of Houston County Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commission of Houston County, Alabama is hereby authorized to provide for compensation for the Court Bailiff of said county in an amount not to exceed \$15 for each day said bailiff serve in his official capacity.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Notice and Proof H. 1737:

STATE OF ALABAMA

HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, June 27, July 4, 6, and 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Local Legislation No. 1.

A BILL
TO BE ENTITLED
AN ACT

Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Houston County, Alabama, each shall be entitled to an annual salary as follows:

(a) For Clerk Circuit Court, an annual salary of Eight Thousand Dollars (\$8,000).

(b) For Register of the Circuit Court, an annual salary of Seven Thousand Dollars (\$7,000).

Section 2. The salaries for the County officers as provided in this Act, shall be paid in equal monthly installments upon warrants, and out of any funds of Houston County available for such purposes, all of which shall be in addition to any other compensation prescribed by law for the above county officers.

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Section 3. This Act shall supersede (Act No. 1111, page 1940, Regular Session of the Legislature of Alabama 1971) (Act No. 1128, page 1955, Regular Session of the Legislature of Alabama 1971).

Section 4. This Act shall take effect on the expiration of the current term of office of each of the officers affected thereby.

Notice and Proof H. 1738:

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, June 26, July 3, 10, 17, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Merrill, Stewart and Burgess:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

Local Legislation No. 1.

By Messrs. Hobbie, Taylor, Barron, Harris and Jones (F):

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and fixing the qualifications, compensation, status and tenure of office for said officials.

Local Legislation No. 4.

By Messrs. Callahan, Nettles and Therrell (With Notice and Proof):

H. 1741. Amending the title and Section 1 of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) relating to the Board of Health of Mobile County, so as to provide for approval of the county governing body of fees established by the Board of Health.

Local Legislation No. 3.

Notice and Proof H. 1741:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Amending the title and Section 1 of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) relating to the Board of Health of Mobile County, so as to provide for approval of the county governing body of fees established by the Board of Health.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) is hereby amended to read as follows:

"Relating to Mobile County; authorizing the Board of Health of said county, with approval of the county governing body, to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged."

Section 2. Section 1 of the above stated act is hereby amended to read as follows:

"Section 1. The Board of Health of Mobile County, with the approval of the county governing body, is hereby authorized to charge and collect any fee it deems necessary and proper for any service rendered by its officers, employees or agents in the performance of duties, functions, and programs required by law or by regulation of the county or state board of health. The Board of Health of Mobile County may fix a schedule of such fees which shall cover the amount of expense involved in performing each service, and may change such schedule as it deems proper. The provisions of this act shall not apply to fees charged for services rendered in connection with vital statistics."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, 14, and 21, all in the year 1973.

E. E. KOCH.

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Sworn to and subscribed before me July 30, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Crowe:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Local Legislation No. 1.

By Messrs. Merrill, Stewart and Burgess:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

Local Legislation No. 1.

By Mr. Parker:

H. 1744. To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Local Legislation No. 1.

By Messrs. Waldrop, Carnes and Wynot (With Notice and Proof):

H. 1745. Relating to Etowah County; authorizing the county governing body to provide grading, paving or surfacing and water drainage facilities to certain non-profit organizations; and to authorize the use of county equipment upon private property under certain conditions to protect the public health and welfare.

Local Legislation No. 1.

Notice and Proof H. 1745:

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; authorizing the county governing body to provide grading, paving or surfacing and water drainage facilities to certain non-profit organizations; and to authorize the use of county equipment upon

private property under certain conditions to protect the public health and welfare.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Etowah County is hereby authorized to provide grading, paving or surfacing and water drainage facilities to such extent and to such public schools and parks, churches, civic lodges and such other non-profit organizations as in the opinion of such county governing body is needed to provide for ingress and egress to public roads and streets, adequate drainage and off street parking.

Section 2. In case of natural disaster, such as tornadoes, flooding, extensive wind damage, etc., or extensive man-made disaster, the governing body of Etowah County is hereby authorized to grant the use of county equipment on private property in the county as in the opinion of such county governing body is needed in order to protect the public health and welfare of communities in the county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Joe Williams, a Notary Public in and for said State and County, personally appeared Donna Endres, known to me, who being by me first duly sworn, deposes and says she is Secretary of the Etowah News-Journal, a newspaper published in Attalla, Etowah County, Alabama, and that the attached legal notice was published in said newspaper on July 5, 12, 19 and 26, 1973.

DONNA ENDRES,
Secretary.

Sworn to and subscribed before me this the 30th day of July, 1973.

JOSEPH L. WILLIAMS,
Notary Public.

By Messrs. Carnes, Waldrop and Wynot:

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain conditions; to provide for the duties, authority and compensation of any such supernumerary judge.

Local Legislation No. 1.

By Messrs. Carnes, Wynot and Waldrop (With Notice and Proof):

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

Local Legislation No. 1.

Notice and Proof H. 1747:

NOTICE

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature of Alabama, in the 1973 Regular Session, and application for its passage and enactment made, Viz: Carnes.

SYNOPSIS: This bill allows prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court of the Sixteenth Judicial Circuit of Alabama, any Circuit Judge of the Sixteenth Judicial Circuit of Alabama is authorized to excuse from service any prospective juror outside the presence of the defendant or defendants provided said juror has a legal excuse for being excused, and it shall be within the discretion of the said Circuit Judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by law.

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 7, 14, 21 and 28, 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me July 31, 1973.

PEGGY CULBERSON,
Notary Public.

By Mr. Wood:

H. 1748. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County making a change in the rates and purposes for which may be levied and distributed the special tax authorized by the Amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended, and to supersede the Amendment to the said Constitution known as Amendment CCCI.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

BILLS ON THIRD READING

And the bill:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Was taken up.

H. 955 POSTPONED

On motion of Mr. Naramore, the bill, H. 955, was postponed to the twenty-sixth legislative day.

And the bill:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Was taken up.

H. 1275 POSTPONED

On motion of Mr. Hardin, the bill, H. 1275, was postponed to the thirtieth legislative day.

And the bill:

H. 533. To amend Title 22, Section 110, Code of Alabama 1940, as amended, so as to allow the county governing body of each county to establish the fee to be charged by the rabies inspector for the inoculation of dogs against rabies at a charge of not less than two dollars nor more than four dollars per dog.

Was taken up.

H. 533 POSTPONED

On motion of Mr. Gray (F), the bill, H. 533, was postponed to the twenty-fifth legislative day.

And the bill:

H. 1326. (With Amendment): To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Was taken up.

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H. 1326 POSTPONED

On motion of Mr. Edwards, the bill, H. 1326, was postponed to the twenty-fifth legislative day.

And the bill:

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reed (T)
Adams	Cross	Kinsey	Reid (R)
Agee	Culver	Lang	Reynolds
Bank	Doss	Lutz	Robertson
Barkett	Downing	McBride	St. John
Barron	Drake	McCluskey	Slate
Bassett	Edwards	McCorquodale	Smith (K)
Benton	Ellis	McDonald	Smith (P)
Boles	Fite	McMillan	Snell
Boutwell	Flippo	McNair	Stewart
Bowers	Gafford	Manley	Stokes
Brassell	Goodwin	Mathews	Stubbs
Burgess	Gray (F)	May	Taylor
Callahan	Grey (D)	Meeks	Therrell
Carnes	Hale	Merrill	Turner
Carter	Hardin	Mims	Turnham
Casey	Harris	Naramore	Waggoner
Cauthen	Headley	Nettles	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Williams
Connell	Hobbie	Perloff	Wood
Coshatt	Hughes	Porter	Wynot
Cottingham	Jackson	Pruitt	

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And the bill:

S. 484. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

Was taken up.

S. 484 POSTPONED

On motion of Messrs. Kinsey and Benton, the bill, S. 484, was postponed to the twenty-sixth legislative day.

And the bill:

S. 481. Relating to Covington County, Alabama, providing for allowances to the Sheriff of Covington County, Alabama, for feeding prisoners, preparing and serving food and other services incident to the feeding of prisoners in the county jails of Covington County, Alabama; providing that such

allowances shall not be paid into the Treasury of Covington County, Alabama; and further providing that the payment of such allowances be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reynolds
Adams	Downing	Kinsey	Roberts
Bank	Drake	Lang	Robertson
Barkett	Easters	Lutz	St. John
Barron	Edwards	McBride	Slate
Bassett	Ellis	McCluskey	Smith (K)
Benton	Falkenburg	McCorquodale	Smith (P)
Boles	Fite	McDonald	Snell
Boutwell	Flippo	McMillan	Stewart
Brassell	Gafford	McNair	Stokes
Burgess	Goodwin	Manley	Stubbs
Carnes	Gray (F)	Mathews	Taylor
Carter	Grey (D)	May	Timmons
Casey	Hale	Meeks	Turnham
Cauthen	Hardin	Merrill	Waggoner
Chesnut	Headley	Mims	Wallace
Collins	Hearn	Naramore	Warren
Connell	Hill	Nettles	Williams
Coshatt	Hobbie	Parker	Wise
Cottingham	Hughes	Perloff	Wood
Cross	Jackson	Porter	Wynot
Culver	Jones (F)	Reid (R)	

—87

And the bill:

S. 480. Relating to counties having a population of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Carter	Flippo	Jones (F)
Adams	Casey	Gafford	King
Agee	Chesnut	Goodwin	Kinsey
Bank	Collins	Grainger	Lang
Barron	Connell	Gray (F)	Lutz
Bassett	Coshatt	Grey (D)	McBride
Benton	Cottingham	Hale	McCluskey
Boles	Cross	Hardin	McCorquodale
Boutwell	Downing	Headley	McDonald
Bowers	Drake	Hearn	McMillan
Brassell	Edwards	Hill	Manley
Burgess	Ellis	Hobbie	Mathews
Callahan	Falkenburg	Hughes	May
Carnes	Fite	Jackson	Merrill

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Naramore	Roberts	Stokes	Warren
Perloff	St. John	Taylor	Wise
Porter	Slate	Turnham	Wood
Reid (R)	Smith (P)	Waggoner	Wynot
Reynolds	Stewart	Wallace	

—74

And the bill:

S. 441. To provide for a clerk and deputy clerk for the Board of Registrars of all counties with a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Dill	Jackson	Reynolds
Adams	Doss	Jones (F)	Roberts
Bank	Downing	King	St. John
Barron	Drake	Kinsey	Slate
Bassett	Edwards	Lang	Smith (K)
Benton	Ellis	Lutz	Snell
Boles	Falkenburg	McBride	Stewart
Boutwell	Fite	McCorquodale	Stokes
Brassell	Flippo	McDonald	Stubbs
Burgess	Gafford	McMillan	Therrell
Callahan	Goodwin	McNair	Timmons
Carnes	Grainger	Manley	Turnham
Carter	Gray (F)	Mathews	Waggoner
Casey	Grey (D)	May	Waldrop
Cauthen	Hale	Meeks	Wallace
Chesnut	Hardin	Merrill	Warren
Collins	Headley	Naramore	Williams
Connell	Hearn	Perloff	Wise
Coshatt	Hobbie	Porter	Wynot
Cottingham	Hughes	Reid (R)	

—78

And the bill:

S. 432. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the chairman and each member of the county commission.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cottingham	Gafford
Adams	Callahan	Cross	Goodwin
Bank	Carnes	Dill	Grainger
Barron	Carter	Downing	Gray (F)
Bassett	Casey	Drake	Grey (D)
Benton	Cauthen	Edwards	Hale
Boles	Chesnut	Ellis	Hardin
Boutwell	Collins	Falkenburg	Headley
Bowers	Connell	Fite	Hearn
Brassell	Coshatt	Flippo	Hobbie

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Hughes	McMillan	Reynolds	Therrell
Jackson	Manley	St. John	Timmons
Jones (F)	Mathews	Slate	Turnham
King	May	Smith (K)	Waggoner
Kinsey	Meeks	Smith (P)	Wallace
Lang	Merrill	Snell	Williams
Lutz	Naramore	Stewart	Wise
McBride	Perloff	Stokes	Wood
McCluskey	Porter	Stubbs	Wynot
McDonald	Reid (R)	Taylor	

—79

And the bill:

S. 431. Relating to Morgan County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Cottingham	Hughes	Porter
Adams	Cross	Jackson	Reid (R)
Bank	Crowe	Jones (F)	Reynolds
Barron	Dill	King	St. John
Bassett	Downing	Kinsey	Slate
Benton	Drake	Lutz	Smith (K)
Boles	Edwards	McBride	Smith (P)
Boutwell	Falkenburg	McCluskey	Stewart
Bowers	Fite	McDonald	Stokes
Brassell	Flippo	McMillan	Stubbs
Burgess	Gafford	McNair	Taylor
Callahan	Goodwin	Manley	Therrell
Carnes	Grainger	Mathews	Timmons
Carter	Gray (F)	May	Turnham
Casey	Grey (D)	Merrill	Waggoner
Cauthen	Hale	Naramore	Wallace
Chesnut	Hardin	Nettles	Williams
Collins	Headley	Parker	Wise
Connell	Hearn	Perloff	Wynot
Coshatt	Hobbie		

—77

And the bill:

S. 422. To permit any bank now or hereafter having an office or place of business in Fort Payne, Alabama, to establish, maintain and operate additional offices or places of business in such city, with the approval of the Superintendent of Banks.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Barron	Boles	Brassell
Adams	Bassett	Boutwell	Burgess
Bank	Benton	Bowers	Carnes

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Carter	Gafford	McBride	Slate
Casey	Goodwin	McCluskey	Smith (K)
Cauthen	Grainger	McDonald	Smith (P)
Chesnut	Gray (F)	McMillan	Stewart
Collins	Grey (D)	McNair	Stokes
Connell	Hale	Manley	Stubbs
Coshatt	Hardin	May	Taylor
Cottingham	Headley	Meeks	Therrell
Cross	Hearn	Merrill	Timmons
Dill	Hobbie	Naramore	Turnham
Doss	Hughes	Nettles	Waggoner
Downing	Jackson	Parker	Wallace
Drake	Jones (F)	Perloff	Warren
Edwards	King	Porter	Williams
Ellis	Kinsey	Reynolds	Wise
Fite	Lang	Roberts	Wynot
Flippo	Lutz		

—77

And the bill:

S. 405. To apply only in counties having populations of not less than 15,400 nor more than 15,625; providing an additional expense allowance for the register in chancery of such counties.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Crowe	Hobbie	Reid (R)
Adams	Culver	Hughes	Reynolds
Adwell	Dill	Jackson	Roberts
Bank	Downing	Jones (F)	Slate
Barron	Drake	King	Smith (K)
Bassett	Edwards	Kinsey	Smith (P)
Benton	Ellis	Lang	Stewart
Boles	Erdreich	Lutz	Stokes
Boutwell	Falkenburg	McBride	Stubbs
Bowers	Fite	McCluskey	Taylor
Brassell	Flippo	McMillan	Therrell
Burgess	Gafford	McNair	Timmons
Carnes	Goodwin	May	Turnham
Carter	Grainger	Meeks	Waggoner
Casey	Gray (F)	Merrill	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hale	Nettles	Williams
Connell	Hardin	Parker	Wise
Coshatt	Headley	Perloff	Wood
Cottingham	Hearn	Porter	Wynot
Cross			

—80

And the bill:

S. 403. To provide that the County Commission of Morgan County, Alabama shall consist of a Chairman and four other members and that the Chairman shall be a resident of Morgan County, Alabama and that one member of the Commission shall be a resident of District 1, that one member of the Commission shall be a resident of District 2, that one member of the Commission shall be a resident of District 3 and that one member of the Commission shall be a resident of District 4 and that the Chairman and the

members of the Commission presently in office shall continue in office for the respective terms for which they were elected and that members of the Commission residing in Districts 1 and 2 shall be elected at the general election to be held in November, 1974 and every four years thereafter, and that members of the Commission who are residents of District 3 and District 4 shall be elected at the general election to be held in November, 1974 and every four years thereafter and that the Chairman shall be elected at the general election in November, 1974 and every six years thereafter and to prescribe the times when the Chairman and members shall take office and that at any primary election at which candidates for nomination to the office of Chairman of the Commission and members of the Commission are made and at any general election at which the Chairman and members of the Commission are to be elected, the qualified electors of Morgan County shall be entitled to vote, and to prescribe the qualifications of the Chairman and members of the Commission and for the vacation of the office of any member of the Commission other than the Chairman, if he shall cease to be a resident of the District in which he resided at the time of his election and for the appointment of his successor and for a successor in the event of a vacancy for any other cause, and to provide for the severability of the provisions of this Act and to repeal all laws in conflict with this Act to the extent of such conflict and to provide when this Act shall become effective.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Messrs.:	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Reynolds
Bank	Dill	Jones (F)	St. John
Barron	Downing	King	Slate
Bassett	Drake	Kinsey	Smith (K)
Benton	Ellis	Lutz	Smith (P)
Boles	Falkenburg	McCluskey	Stewart
Boutwell	Fite	McDonald	Stokes
Bowers	Flippo	McMillan	Stubbs
Brassell	Gafford	McNair	Taylor
Burgess	Goodwin	May	Therrell
Carnes	Grainger	Meeks	Timmons
Carter	Gray (F)	Merrill	Turnham
Casey	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Collins	Hardin	O'Daniel	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hearn	Porter	Wood
Cottingham	Hobbie	Pruitt	Wynot
Cross			

—76

And the bill:

S. 401. To permit any bank now or hereafter having an authorized office or place of business in Hartselle, Alabama to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

Was read a third time at length and passed.

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Yeas 79; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Perloff
Adams	Cross	Jackson	Porter
Adwell	Dill	Jones (F)	Reid (R)
Bank	Downing	King	Roberts
Barron	Drake	Kinsey	St. John
Bassett	Edwards	Lang	Slate
Benton	Ellis	Lutz	Smith (P)
Boles	Erdreich	McBride	Snell
Boutwell	Falkenburg	McCluskey	Stewart
Bowers	Fite	McDonald	Stokes
Brassell	Flippo	McMillan	Stubbs
Burgess	Gafford	McNair	Taylor
Carnes	Goodwin	Manley	Therrell
Carter	Grainger	May	Timmons
Cauthen	Gray (F)	Meeks	Turnham
Chesnut	Hale	Merrill	Waggoner
Collins	Hardin	Naramore	Wallace
Connell	Headley	Nettles	Warren
Coshatt	Hearn	O'Daniel	Wise
Cottingham	Hobbie	Owens	Wynot

—79

And the bill:

S. 392. Relating to Monroe County, to provide for an additional expense allowance for the members of the Monroe County Board of Registrars.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Messrs.:	Cottingham	Hearn	Owens
Adams	Crawford	Hobbie	Porter
Adwell	Cross	Hughes	Reid (R)
Bank	Culver	Jackson	Roberts
Barron	Dill	Jones (F)	St. John
Bassett	Doss	King	Slate
Benton	Downing	Kinsey	Smith (P)
Boles	Drake	Lang	Snell
Boutwell	Edwards	Lutz	Stewart
Bowers	Ellis	McBride	Stokes
Brassell	Erdreich	McCluskey	Stubbs
Burgess	Falkenburg	McDonald	Taylor
Callahan	Fite	McNair	Timmons
Carnes	Flippo	Manley	Turnham
Carter	Gafford	May	Waggoner
Casey	Goodwin	Meeks	Wallace
Cauthen	Grainger	Merrill	Warren
Chesnut	Gray (F)	Mims	Williams
Collins	Hale	Naramore	Wise
Connell	Hardin	Nettles	Wood
Coshatt	Headley	O'Daniel	

—82

And the bill:

S. 391. Relating to Conecuh County to provide for the elimination of the final record from criminal cases in the county court; and to allow the original file and docket sheet of said court to stand as the final record.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Dill	Jones (F)	Pruitt
Adams	Downing	King	Reid (R)
Adwell	Drake	Kinsey	Reynolds
Barron	Edwards	Lang	Roberts
Bassett	Ellis	Lutz	St. John
Benton	Erdreich	McBride	Slate
Boles	Falkenburg	McCluskey	Smith (P)
Boutwell	Fite	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	McNair	Stubbs
Burgess	Goodwin	Manley	Taylor
Callahan	Grainger	May	Timmons
Carnes	Gray (F)	Meeks	Turnham
Carter	Hale	Merrill	Waggoner
Casey	Hardin	Mims	Wallace
Cauthen	Headley	Naramore	Warren
Chesnut	Hearn	Nettles	Williams
Collins	Hobbie	O'Daniel	Wise
Coshatt	Hughes	Owens	Wood
Cottingham	Jackson	Perloff	Wynot
Crawford			

—80

And the bill:

S. 362. To provide an expense allowance to the official court reporter of the Thirty-fifth Judicial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Pruitt
Adams	Dill	Jackson	Reid (R)
Adwell	Doss	King	Reynolds
Agee	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Edwards	Lutz	Slate
Benton	Ellis	McBride	Smith (P)
Boles	Erdreich	McCluskey	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	McNair	Stubbs
Callahan	Gafford	Manley	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turnham
Casey	Gray (F)	Merrill	Waggoner
Cauthen	Grey (D)	Mims	Wallace
Chesnut	Hale	Naramore	Warren
Collins	Hardin	Nettles	Williams
Connell	Headley	Owens	Wise
Coshatt	Hearn	Perloff	Wood
Cottingham	Hobbie	Porter	Wynot

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And the bill:

S. 361. To repeal Act No. 216, H. 560, 1951 Regular Session (Acts, 1951, p. 487) entitled "An Act To create the office of County Solicitor of Wilcox County, Alabama; to fix the qualifications of the County Solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps."

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Cross	Jackson	Pruitt
Adams	Dill	King	Reid (R)
Adwell	Downing	Kinsey	Reynolds
Agee	Drake	Lang	Roberts
Barkett	Easters	Lutz	St. John
Barron	Edwards	McBride	Slate
Bassett	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McDonald	Smith (P)
Boles	Falkenburg	McMillan	Snell
Boutwell	Fite	McNair	Stewart
Bowers	Flippo	Manley	Stokes
Brassell	Gafford	May	Stubbs
Callahan	Goodwin	Meeks	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Headley	Owens	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hobbie	Porter	Wynot
Crawford	Hughes		

—85

And the bill:

S. 360. Relating to Wilcox County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Dill
Adwell	Bowers	Collins	Doss
Agee	Brassell	Connell	Downing
Bank	Burgess	Coshatt	Drake
Barkett	Callahan	Cottingham	Easters
Barron	Carnes	Crawford	Edwards
Bassett	Carter	Cross	Ellis
Benton	Casey	Crowe	Erdreich

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Falkenburg	Jones (F)	Nettles	Snell
Fite	King	O'Daniel	Stewart
Flippo	Kinsey	Owens	Stubbs
Gafford	Lang	Parker	Taylor
Goodwin	Lutz	Perloff	Therrell
Grainger	McBride	Porter	Timmons
Gray (F)	McCluskey	Pruitt	Turner
Grey (D)	McCorquodale	Reed (T)	Turnham
Hale	McDonald	Reid (R)	Waggoner
Hardin	McMillan	Reynolds	Waldrop
Harris	McNair	Roberts	Wallace
Headley	Manley	Robertson	Warren
Hearn	May	St. John	Williams
Hill	Meeks	Slate	Wise
Hobbie	Merrill	Smith (K)	Wood
Hughes	Mims	Smith (P)	Wynot
Jackson	Naramore		

—102

And the bill:

S. 299. To provide for the regulation by the Board of Education in counties with a population not less than 14,000 and not more than 15,000, according to the most recent federal decennial census, of the salary of the Superintendent of Education of such counties; establishing a maximum and minimum salary; establishing compensation for Board of Education members; to provide for retroactive effect.

Was read a third time at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

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2197

And the bill:

S. 271. Relating to Franklin County; further regulating the number and compensation of deputy sheriffs; and, providing retroactive effect for certain provisions of the act.

Was read a third time at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

Was taken up.

S. 267 POSTPONED

On motion of Mr. Porter, the bill, S. 267, was postponed to the twenty-sixth legislative day.

And the bill:

S. 225. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Was read a third time at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

S. 171. To provide additional compensation for each of the official court reporters of the Ninth Judicial Circuit.

Was read a third time at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lutz
Adams	Collins	Gafford	McBride
Adwell	Connell	Goodwin	McCluskey
Agee	Coshatt	Grainger	McCorquodale
Bank	Cottingham	Gray (F)	McDonald
Barkett	Crawford	Grey (D)	McMillan
Barron	Cross	Hale	McNair
Bassett	Crowe	Hardin	Manley
Benton	Culver	Harris	May
Boles	Dill	Headley	Meeks
Boutwell	Doss	Hearn	Merrill
Bowers	Downing	Hill	Mims
Brassell	Drake	Hobbie	Naramore
Burgess	Easters	Hughes	Nettles
Callahan	Edwards	Jackson	O'Daniel
Carnes	Ellis	Jones (F)	Owens
Carter	Erdreich	King	Parker
Casey	Falkenburg	Kinsey	Perloff
Cauthen	Fite	Lang	Porter

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Pruitt	Slate	Therrell	Wallace
Reed (T)	Smith (K)	Timmons	Warren
Reid (R)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stewart	Waggoner	Wood
Robertson	Stubbs	Waldrop	Wynot
St. John	Taylor		

—102

And the bill:

H. 1361. To provide for compensation of Deputy District Attorneys No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Erdreich	McBride	Roberts
Burgess	Falkenburg	McCluskey	Robertson
Callahan	Fite	McCorquodale	St. John
Carnes	Flipppo	McDonald	Slate
Carter	Gafford	McMillan	Smith (K)
Casey	Goodwin	McNair	Smith (P)
Cauthen	Grainger	Manley	Snell
Chesnut	Gray (F)	May	Stewart
Collins	Grey (D)	Meeks	Stubbs
Connell	Hale	Merrill	Taylor
Coshatt	Hardin	Mims	Therrell
Cottingham	Harris	Naramore	Timmons
Crawford	Headley	Nettles	Turner
Cross	Hearn	O'Daniel	Turnham
Crowe	Hill	Owens	Waggoner
Culver	Hobbie	Parker	Waldrop
Dill	Hughes	Perloff	Wallace
Doss	Jackson	Porter	Warren
Downing	Jones (F)	Pruitt	Williams
Drake	King	Reed (T)	Wise
Easters	Kinsey	Reid (R)	Wood
Edwards	Lang	Reynolds	Wynot
Ellis	Lutz		

—102

And the bill:

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Was taken up.

H. 1397 POSTPONED

On motion of Mr. Coshatt, the bill, H. 1397, was postponed to the twenty-sixth legislative day.

And the bill:

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Edwards
Adams	Brassell	Cottingham	Ellis
Adwell	Burgess	Crawford	Erdreich
Agee	Callahan	Cross	Falkenburg
Bank	Carnes	Crowe	Fite
Barkett	Carter	Culver	Flipppo
Barron	Casey	Dill	Gafford
Bassett	Cauthen	Doss	Goodwin
Benton	Chesnut	Downing	Grainger
Boles	Collins	Drake	Gray (F)
Boutwell	Connell	Easters	Grey (D)

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Hale	McCluskey	Perloff	Stubbs
Hardin	McCorquodale	Porter	Taylor
Harris	McDonald	Pruitt	Therrell
Headley	McMillan	Reed (T)	Timmons
Hearn	McNair	Reid (R)	Turner
Hill	Manley	Reynolds	Turnham
Hobbie	May	Roberts	Waggoner
Hughes	Meeks	Robertson	Waldrop
Jackson	Merrill	St. John	Wallace
Jones (F)	Mims	Slate	Warren
King	Naramore	Smith (K)	Williams
Kinsey	Nettles	Smith (P)	Wise
Lang	O'Daniel	Snell	Wood
Lutz	Owens	Stewart	Wynot
McBride	Parker		

—102

And the bill:

H. 1503. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associatd members of the Board of County Commissioners amending Sections 2 and 4 of Act # 411, H. 742, Regular Session 1963; and amending Sections 1 and 2 of Act # 652, S. 736, Regular Session 1969(Acts 1969 p. 1182).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1504. Relating to Escambia County, providing for the payment or reimbursement by said County to the members, including the Chairman, of

the Escambia County Commission and the Attorney for said County of their actual expenses incurred in the performance of their duties outside the County, including expenses incurred by them in attending conventions of the Alabama Association of County Commissioners and the National Association of County Commissioners, and repealing Act # 193, S. 79, Special Session 1969 (Acts, 1969, p. 255) and repealing Act # 611, H. 1168, Regular Session 1971 (Acts, 1971, p. 611).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flipppo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Gray (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1537. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal decennial census; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storer, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Was taken up.

H. 1537 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 1537, was postponed to the twenty-sixth legislative day.

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2203

And the bill:

H. 1574. Providing for expense allowances for the tax assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1589. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, allowing volunteer fire departments in the county to purchase tires through the State Finance Department.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Connell
Adams	Benton	Carnes	Coshatt
Adwell	Boles	Carter	Cottingham
Agee	Boutwell	Casey	Crawford
Bank	Bowers	Cauthen	Cross
Barkett	Brassell	Chesnut	Crowe
Barron	Burgess	Collins	Culver

Dill	Headley	Meeks	Smith (K)
Doss	Hearn	Merrill	Smith (P)
Downing	Hill	Mims	Snell
Drake	Hobbie	Naramore	Stewart
Easters	Hughes	Nettles	Stubbs
Edwards	Jackson	O'Daniel	Taylor
Ellis	Jones (F)	Owens	Therrell
Erdreich	King	Parker	Timmons
Falkenburg	Kinsey	Perloff	Turner
Fite	Lang	Porter	Turnham
Flippo	Lutz	Pruitt	Waggoner
Gafford	McBride	Reed (T)	Waldrop
Goodwin	McCluskey	Reid (R)	Wallace
Grainger	McCorquodale	Reynolds	Warren
Gray (F)	McDonald	Roberts	Williams
Grey (D)	McMillan	Robertson	Wise
Hale	McNair	St. John	Wood
Hardin	Manley	Slate	Wynot
Harris	May		

—102

And the bill:

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

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2205

And the bill:

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Gray (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Downing
Adams	Bowers	Connell	Drake
Adwell	Brassell	Coshatt	Easters
Agee	Burgess	Cottingham	Edwards
Bank	Callahan	Crawford	Ellis
Barkett	Carnes	Cross	Erdreich
Barron	Carter	Crowe	Falkenburg
Bassett	Casey	Culver	Fite
Benton	Cauthen	Dill	Flippo
Boles	Chesnut	Doss	Gafford

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Goodwin	Lang	Owens	Stewart
Grainger	Lutz	Parker	Stubbs
Gray (F)	McBride	Perloff	Taylor
Grey (D)	McCluskey	Porter	Therrell
Hale	McCorquodale	Pruitt	Timmons
Hardin	McDonald	Reed (T)	Turner
Harris	McMillan	Reid (R)	Turnham
Headley	McNair	Reynolds	Waggoner
Hearn	Manley	Roberts	Waldrop
Hill	May	Robertson	Wallace
Hobbie	Meeks	St. John	Warren
Hughes	Merrill	Slate	Williams
Jackson	Mims	Smith (K)	Wise
Jones (F)	Namore	Smith (P)	Wood
King	Nettles	Snell	Wynot
Kinsey	O'Daniel		

—102

And the bill:

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Namore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Hearn
Adams	Casey	Edwards	Hill
Adwell	Cauthen	Ellis	Hobbie
Agee	Chesnut	Erdreich	Hughes
Bank	Collins	Falkenburg	Jackson
Barkett	Connell	Fite	Jones (F)
Barron	Coshatt	Flippo	King
Bassett	Cottingham	Gafford	Kinsey
Benton	Crawford	Goodwin	Lang
Boles	Cross	Grainger	Lutz
Boutwell	Crowe	Gray (F)	McBride
Bowers	Culver	Grey (D)	McCluskey
Brassell	Dill	Hale	McCorquodale
Burgess	Doss	Hardin	McDonald
Callahan	Downing	Harris	McMillan
Carnes	Drake	Headley	McNair

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Manley	Perloff	Smith (K)	Turnham
May	Porter	Smith (P)	Waggoner
Meeks	Pruitt	Snell	Waldrop
Merrill	Reed (T)	Stewart	Wallace
Mims	Reid (R)	Stubbs	Warren
Naramore	Reynolds	Taylor	Williams
Nettles	Roberts	Therrell	Wise
O'Daniel	Robertson	Timmons	Wood
Owens	St. John	Turner	Wynot
Parker	Slate		

—102

And the bill:

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms

of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the the act shall take effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or

microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Gray (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Downing
Adams	Bowers	Connell	Drake
Adwell	Brassell	Coshatt	Easters
Agee	Burgess	Cottingham	Edwards
Bank	Callahan	Crawford	Ellis
Barkett	Carnes	Cross	Erdreich
Barron	Carter	Crowe	Falkenburg
Bassett	Casey	Culver	Fite
Benton	Cauthen	Dill	Flippo
Boles	Chesnut	Doss	Gafford

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Goodwin	Lang	Owens	Stubbs
Grainger	Lutz	Parker	Taylor
Gray (F)	McBride	Perloff	Therrell
Grey (D)	McCluskey	Porter	Timmons
Hale	McCorquodale	Pruitt	Turner
Hardin	McDonald	Reed (T)	Turnham
Harris	McMillan	Reid (R)	Waggoner
Headley	McNair	Reynolds	Waldrop
Hearn	Manley	Roberts	Wallace
Hill	May	Robertson	Warren
Hobbie	Meeks	St. John	Williams
Hughes	Merrill	Slate	Wise
Jackson	Mims	Smith (K)	Wood
Jones (F)	Naramore	Smith (P)	Wynot
King	Nettles	Snell	
Kinsey	O'Daniel		

—102

And the bill:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Was taken up.

H. 1626 POSTPONED

On motion of Mr. Coshatt, the bill, H. 1626, was postponed to the twenty-sixth legislative day.

And the bill:

H. 1632. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette, in Fayette County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lutz
Adams	Collins	Gafford	McBride
Adwell	Connell	Goodwin	McCluskey
Agee	Coshatt	Grainger	McCorquodale
Bank	Cottingham	Gray (F)	McDonald
Barkett	Crawford	Grey (D)	McMillan
Barron	Cross	Hale	McNair
Bassett	Crowe	Hardin	Manley
Benton	Culver	Harris	May
Boles	Dill	Headley	Meeks
Boutwell	Doss	Hearn	Merrill
Bowers	Downing	Hill	Mims
Brassell	Drake	Hobbie	Naramore
Burgess	Easters	Hughes	Nettles
Callahan	Edwards	Jackson	O'Daniel
Carnes	Ellis	Jones (F)	Owens
Carter	Erdreich	King	Parker
Casey	Falkenburg	Kinsey	Perloff
Cauthen	Fite	Lang	Porter

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Pruitt	Slate	Therrell	Wallace
Reed (T)	Smith (K)	Timmons	Warren
Reid (R)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stewart	Waggoner	Wood
Robertson	Stubbs	Waldrop	Wynot
St. John	Taylor		

—102

And the bill:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCiuskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking application for voter registration; to provide further for the powers, duties and compensation of such special registrars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Gray (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lutz
Adams	Collins	Gafford	McBride
Adwell	Connell	Goodwin	McCluskey
Agee	Coshatt	Grainger	McCorquodale
Bank	Cottingham	Gray (F)	McDonald
Barkett	Crawford	Gray (D)	McMillan
Barron	Cross	Hale	McNair
Bassett	Crowe	Hardin	Manley
Benton	Culver	Harris	May
Boles	Dill	Headley	Meeks
Boutwell	Doss	Hearn	Merrill
Bowers	Downing	Hill	Mims
Brassell	Drake	Hobbie	Naramore
Burgess	Easters	Hughes	Nettles
Callahan	Edwards	Jackson	O'Daniel
Carnes	Ellis	Jones (F)	Owens
Carter	Erdreich	King	Parker
Casey	Falkenburg	Kinsey	Perloff
Cauthen	Fite	Lang	Porter

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Pruitt	Slate	Therrell	Wallace
Reed (T)	Smith (K)	Timmons	Warren
Reid (R)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stewart	Waggoner	Wood
Robertson	Stubbs	Waldrop	Wynot
St. John	Taylor		

—102

And the bill:

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Hearn
Adams	Casey	Edwards	Hill
Adwell	Cauthen	Ellis	Hobbie
Agee	Chesnut	Erdreich	Hughes
Bank	Collins	Falkenburg	Jackson
Barkett	Connell	Fite	Jones (F)
Barron	Coshatt	Flippo	King
Bassett	Cottingham	Gafford	Kinsey
Benton	Crawford	Goodwin	Lang
Boles	Cross	Grainger	Lutz
Boutwell	Crowe	Gray (F)	McBride
Bowers	Culver	Grey (D)	McCluskey
Brassell	Dill	Hale	McCorquodale
Burgess	Doss	Hardin	McDonald
Callahan	Downing	Harris	McMillan
Carnes	Drake	Headley	McNair

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Manley	Perloff	Smith (K)	Turnham
May	Porter	Smith (P)	Waggoner
Meeks	Pruitt	Snell	Waldrop
Merrill	Reed (T)	Stewart	Wallace
Mims	Reid (R)	Stubbs	Warren
Naramore	Reynolds	Taylor	Williams
Nettles	Roberts	Therrell	Wise
O'Daniel	Robertson	Timmons	Wood
Owens	St. John	Turner	Wynot
Parker	Slate		

—102

And the bill:

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

And the bill:

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

24th Day

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

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And the bill:

H. 1650. Relating to counties having a population of not less than 18,500 nor more than 20,500, according to the most recent federal decennial census; to provide further for the taking of fresh water mussels from the public rivers and streams of said counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Callahan	Dill	Gray (F)
Adams	Carnes	Doss	Grey (D)
Adwell	Carter	Downing	Hale
Agee	Casey	Drake	Hardin
Bank	Cauthen	Easters	Harris
Barkett	Chesnut	Edwards	Headley
Barron	Collins	Ellis	Hearn
Bassett	Connell	Erdreich	Hill
Benton	Coshatt	Falkenburg	Hobbie
Boles	Cottingham	Fite	Hughes
Boutwell	Crawford	Flippo	Jackson
Bowers	Cross	Gafford	Jones (F)
Brassell	Crowe	Goodwin	King
Burgess	Culver	Grainger	Kinsey

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Lang	Mims	Roberts	Timmons
Lutz	Naramore	Robertson	Turner
McBride	Nettles	St. John	Turnham
McCluskey	O'Daniel	Slate	Waggoner
McCorquodale	Owens	Smith (K)	Waldrop
McDonald	Parker	Smith (P)	Wallace
McMillan	Perloff	Snell	Warren
McNair	Porter	Stewart	Williams
Manley	Pruitt	Stubbs	Wise
May	Reed (T)	Taylor	Wood
Meeks	Reid (R)	Therrell	Wynot
Merrill	Reynolds		

—102

And the bill:

S. 433. Relating to all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Was read a third time at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Adwell	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Gray (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

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LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

SPECIAL ORDER

The House then proceeded to the consideration of the Special Order.

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And the bill:

H. 1095. To provide additional judges for the Eighth Judicial Circuit of Alabama.

Was taken up.

H. 1095 TEMPORARILY POSTPONED

On motion of Mr. Slate, the bill, H. 1095, was temporarily postponed.

MOTION IN WRITING

Mr. Snell filed the following Motion in Writing:

Pursuant to House rule 23, I now move that this body as a whole reconsider H. B. 308 which was nonconcurrent in on the twenty-third legislative day.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing, Mr. Snell moved to reconsider the vote by which the House non-concurred in the Senate amendment to the bill, H. 308, and the motion was adopted.

And the bill, H. 308 with Senate amendment, was again taken up:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that his act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

On motion of Mr. Snell, the House concurred in and adopted the Senate amendment to the bill, H. 308.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee

Bank
Barkett
Barron

Bassett
Benton
Boles

Boutwell
Bowers
Brassell

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Callahan	Fite	McBride	Slate
Carnes	Flippo	McCluskey	Smith (K)
Carter	Gafford	McCorquodale	Smith (P)
Cauthen	Goodwin	McDonald	Snell
Chesnut	Grainger	McMillan	Stewart
Connell	Gray (F)	McNair	Stubbs
Coshatt	Hale	Mathews	Taylor
Crawford	Hardin	May	Therrell
Cross	Headley	Meeks	Turner
Culver	Hill	Merrill	Turnham
Dill	Hobbie	Naramore	Waggoner
Downing	Hughes	Owens	Waldrop
Easters	Jackson	Porter	Wallace
Edwards	Jones (F)	Reid (R)	Williams
Ellis	King	Reynolds	Wise
Erdreich	Kinsey	Robertson	Wynot
Falkenburg	Lutz	St. John	

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And the bill:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; and to provide penalties and residency requirements for officers and employees of authorities, commissions, chambers, and committees.

As thus amended, was again read and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Callahan	Easters	Headley
Adams	Carnes	Edwards	Hill
Agee	Carter	Ellis	Hobbie
Bank	Cauthen	Erdreich	Hughes
Barkett	Chesnut	Fite	Jackson
Barron	Connell	Flippo	Jones (F)
Bassett	Coshatt	Goodwin	Kinsey
Benton	Crawford	Grainger	Lang
Boles	Cross	Gray (F)	Lutz
Boutwell	Culver	Grey (D)	McBride
Bowers	Dill	Hale	McCluskey
Brassell	Downing	Hardin	McCorquodale

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McDonald	Owens	Slate	Turner
McMillan	Porter	Smith (K)	Turnham
McNair	Reed (T)	Smith (P)	Waggoner
Mathews	Reid (R)	Snell	Wallace
May	Reynolds	Stewart	Williams
Meeks	Robertson	Taylor	Wise
Merrill	St. John	Timmons	Wynot
Naramore			

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MOTION IN WRITING

Mr. Snell filed the following Motion in Writing:

Pursuant to House rule 23, I now move that this body as a whole reconsider H. B. 301 which was nonconcurrred in on the twenty-third legislative day.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing, Mr. Snell moved to reconsider the vote by which the House non-concurrred in the Senate amendment to the bill, H. 301, and the motion was adopted.

And the bill, H. 301 with Senate amendment, was again taken up:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

On motion of Mr. Snell, the House non-concurrred in the Senate amendment to the bill, H. 301:

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Bowers	Dill	Flippo
Adams	Brassell	Doss	Gafford
Agee	Callahan	Downing	Goodwin
Barkett	Carnes	Drake	Grainger
Barron	Carter	Easters	Gray (F)
Bassett	Chesnut	Edwards	Grey (D)
Benton	Connell	Ellis	Hardin
Boles	Crawford	Erdreich	Headley
Boutwell	Cross	Fite	Hill

Hobbie	McMillan	Robertson	Turner
Hughes	May	St. John	Turnham
Jones (F)	Meeks	Smith (K)	Waggoner
King	Merrill	Smith (P)	Waldrop
Kinsey	Naramore	Stewart	Wallace
Lutz	Owens	Stubbs	Williams
McBride	Porter	Taylor	Wise
McCluskey	Reid (R)	Therrell	Wood
McCorquodale	Reynolds	Timmons	Wynot
McDonald	Roberts		

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On motion of Mr. Snell, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 301.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Snell, Adams and Brassell.

SPECIAL ORDER RESUMED

And the bill:

H. 399. To amend Act No. 758, S 556, Regular Session 1967, which Act fixes the salary range of the State Budget Officer, by placing the authority to fix such salary in the State Personnel Board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Reed (T)
Adwell	Downing	Jones (F)	Reid (R)
Agee	Drake	King	Reynolds
Barkett	Easters	Kinsey	Roberts
Barron	Edwards	Lang	St. John
Bassett	Ellis	Lutz	Slate
Benton	Erdreich	McBride	Smith (K)
Boles	Falkenburg	McCorquodale	Smith (P)
Boutwell	Fite	McDonald	Stokes
Bowers	Flippo	McMillan	Stubbs
Callahan	Gafford	Mathews	Taylor
Carnes	Goodwin	May	Therrell
Carter	Grainger	Meeks	Timmons
Chesnut	Gray (F)	Merrill	Turner
Collins	Grey (D)	Mims	Waldrop
Connell	Hale	Nettles	Wallace
Cottingham	Hardin	O'Daniel	Williams
Crawford	Headley	Owens	Wise
Cross	Hill	Parker	Wood
Crowe	Hobbie	Perloff	Wynot
Culver	Hughes	Porter	

—83

And the bill:

H. 499. (With Amendment): To amend Sections 3, 5, 6, 8, 18, 21, 31, 37 and 39 of Act 663, Senate 132, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commis-

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sion form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections; and to require ninety day prior residency of candidates; and to authorize establishment of voting centers.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Government, said Committee amendment being as follows:

H. B. 499 is hereby amended by striking in Line 5 of the Title the phrase "this state" and substituting in lieu thereof the phrase "300,000 population or less"; and in Line 20 of said Title by striking the phrase "such elections" and substituting in lieu thereof the phrase "the election."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Perloff
Adams	Culver	Hughes	Reed (T)
Agee	Dill	Jackson	Reid (R)
Barkett	Downing	Jones (F)	Reynolds
Barron	Drake	King	Roberts
Bassett	Easters	Lang	St. John
Benton	Edwards	Lutz	Slate
Boles	Ellis	McBride	Smith (K)
Boutwell	Erdreich	McCorquodale	Smith (P)
Bowers	Falkenburg	McDonald	Snell
Brassell	Fite	McMillan	Stubbs
Callahan	Flippo	McNair	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Goodwin	May	Timmons
Cauthen	Grainger	Meeks	Turner
Collins	Gray (F)	Merrill	Waldrop
Connell	Grey (D)	Mims	Williams
Coshatt	Hale	O'Daniel	Wise
Crawford	Headley	Owens	Wynot
Cross	Hill	Parker	

—79

And the bill:

H. 499. To amend Sections 3, 5, 6, 8, 18, 21, 31, 37 and 39 of Act 663, Senate 132, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate general and special elections in the cities and towns of 300,000

population or less, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedures for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding the election; and to require ninety day prior residency of candidates; and to authorize establishment of voting centers.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Perloff
Adams	Crowe	Hughes	Porter
Adwell	Culver	Jackson	Reid (R)
Agee	Dill	Jones (F)	Reynolds
Barkett	Downing	King	Robertson
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boutwell	Erdreich	McCorquodale	Smith (P)
Bowers	Falkenburg	McDonald	Snell
Brassell	Fite	McMillan	Stubbs
Callahan	Flippo	McNair	Taylor
Carnes	Gafford	Mathews	Therrell
Carter	Goodwin	May	Timmons
Cauthen	Grainger	Meeks	Turner
Chesnut	Grey (D)	Merrill	Wallace
Collins	Hale	Mims	Williams
Connell	Hardin	O'Daniel	Wise
Coshatt	Headley	Owens	Wood
Cottingham	Hill	Parker	Wynot
Crawford			

—81

And the bill:

H. 500. To amend Sections 4, 6, 7, 9, 19, 22, 32, 38 and 40 of Act 664, Senate 133, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate elections in cities and towns of 300,000 population or less which have a commission form of government; designating the date for regular elections and authorizing the Board of Commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and

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requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections; and to require ninety days prior residency of candidates; and to authorize establishment of voting centers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Agee	Downing	Jones (F)	Robertson
Barron	Drake	King	St. John
Bassett	Easters	Kinsey	Slate
Benton	Edwards	Lang	Smith (K)
Boles	Ellis	Lutz	Smith (P)
Boutwell	Erdreich	McBride	Snell
Bowers	Falkenburg	McCorquodale	Stewart
Brassell	Fite	McDonald	Stokes
Callahan	Flippo	McMillan	Stubbs
Carnes	Gafford	McNair	Taylor
Carter	Goodwin	Mathews	Therrell
Cauthen	Grainger	May	Timmons
Chesnut	Grey (D)	Meeks	Turner
Collins	Hale	Merrill	Turnham
Connell	Hardin	Mims	Wallace
Coshatt	Headley	Nettles	Williams
Cottingham	Hearn	O'Daniel	Wise
Crawford	Hill	Owens	Wood
Cross	Hobbie	Porter	Wynot

—84

And the bill:

H. 852. To designate Asteriated Quartz as the official gem of the State of Alabama, commonly called Blue Star Quartz.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 1.

Yeas:

Mr. Speaker	Callahan	Culver	Gafford
Adams	Carnes	Dill	Goodwin
Agee	Carter	Doss	Grainger
Barkett	Chesnut	Downing	Gray (F)
Barron	Collins	Drake	Grey (D)
Bassett	Connell	Easters	Hale
Benton	Coshatt	Edwards	Hardin
Boles	Cottingham	Ellis	Headley
Boutwell	Crawford	Erdreich	Hearn
Bowers	Cross	Fite	Hill
Brassell	Crowe	Flippo	Hobbie

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Hughes	McNair	Reed (T)	Stubbs
Jackson	Manley	Reid (R)	Taylor
Jones (F)	Mathews	Reynolds	Therrell
King	May	Robertson	Timmons
Kinsey	Meeks	St. John	Turnham
Lang	Merrill	Slate	Waldrop
Lutz	Mims	Smith (K)	Wallace
McBride	O'Daniel	Smith (P)	Williams
McCluskey	Perloff	Snell	Wise
McDonald	Porter	Stewart	Wood
McMillan	Pruitt	Stokes	Wynot

—88

Nay: Mr. Nettles.

—1

And the bill:

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 3.

Yeas:

Mr. Speaker	Crowe	Jackson	Pruitt
Adams	Culver	Jones (F)	Reed (T)
Adwell	Dill	King	Reid (R)
Agee	Doss	Kinsey	Reynolds
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McBride	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McDonald	Stokes
Boutwell	Fite	McMillan	Stubbs
Bowers	Flippo	Manley	Taylor
Brassell	Gafford	Mathews	Therrell
Callahan	Goodwin	May	Timmons
Carnes	Grey (D)	Meeks	Turnham
Carter	Hale	Mims	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Headley	Owens	Williams
Connell	Hearn	Parker	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Porter	Wynot
Cross	Hughes		

—86

Nays: Messrs. Cauthen, McNair and Slate.

—3

And the bill:

H. 1026. To establish within the Department of Insurance a Receiver-ship Division, to provide for the management thereof and to enumerate the duties, responsibilities and authority to be conferred thereon.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 87; Nays 2.

Yeas:

Mr. Speaker	Crowe	Hobbie	Porter
Adams	Culver	Hughes	Pruitt
Adwell	Dill	Jackson	Reed (T)
Agee	Doss	Jones (F)	Reid (R)
Bank	Downing	King	Reynolds
Barkett	Drake	Kinsey	Robertson
Barron	Easters	Lang	St. John
Bassett	Edwards	Lutz	Smith (K)
Boles	Ellis	McBride	Smith (P)
Boutwell	Erdreich	McCluskey	Snell
Bowers	Falkenburg	McCorquodale	Stewart
Brassell	Fite	McDonald	Stokes
Callahan	Flippo	McMillan	Stubbs
Carnes	Gafford	Manley	Taylor
Carter	Goodwin	Mathews	Therrell
Cauthen	Grainger	May	Timmons
Chesnut	Grey (D)	Meeks	Turnham
Collins	Hale	Mims	Waldrop
Connell	Hardin	Nettles	Wallace
Cottingham	Headley	Owens	Williams
Crawford	Hearn	Parker	Wynot
Cross	Hill	Perloff	

—87

Nays: Messrs. McNair and Slate.

—2

H. 1652 RE-REFERRED

On motion of Mr. Benton to re-refer, the Speaker re-referred the bill, H. 1652, from the Standing Committee on Ways and Means to the Standing Committee on Judiciary.

SPECIAL ORDER RESUMED

And the bill:

H. 977. (With Amendments): To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Was taken up.

Mr. Turner offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 51, Section 17, as amended, is hereby further amended to read as follows:

"Section 17.1. With respect to ad valorem taxes levied by the state, and, unless otherwise provided with respect to ad valorem taxes levied by a county, municipality or other taxing authority other than the State all taxable property shall be divided into the following classes and no other and shall be assessed for ad valorem tax purposes at the following ratios of assessed value to the fair and reaonable market value of such property:

"CLASS I. All property of utilities used in the business of such utilities, 30%.

"CLASS II. All property not otherwise classified, 25%.

"CLASS III. All agricultural, forest and residential property, 15%.

"2. As used herein:

"(a) 'all property of utilities' shall include all property assessed for taxation by the Department of Revenue pursuant to the provisions of Chapter 11, Title 51, Code of Alabama 1940, as amended;

"(b) 'all residential property' shall include only real property used exclusively as a single-family dwelling by the owner thereof;

"(c) 'agricultural' and 'forest' property shall include all real property used for raising, harvesting and selling crops or for the feeding, breeding, management, and raising, sale of, or the produce of livestock to include beef cattle, sheep, swine, horses, ponies, mules, poultry, fur bearing animals, honeybees, and fish, or for dairying and the sale of dairy products, or for the growing and sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof;

"(d) 'all property not otherwise classified' shall include all real and personal property which does not fall within one or both Classes I or III.

"3. Wherever any statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes. Provided, however, that should said amendment not be ratified and adopted all taxable property within the state shall be assessed at thirty percent of its fair and reasonable market value; in such event this act shall become effective thirty days after the date that the Secreary of State certifies that said amendment has not been ratified.

"4. The following property shall be exempted from ad valorem taxation: the real and personal property of the state, counties and municipalities and real and personal property devoted exclusively to religious, educational or charitable purposes, also the property of Masonic Lodges, Knights of Columbus Homes, and Union Halls shall be exempt when used exclusively for the purpose and business of such organizations. All property now exempt by law shall continue to be exempt from taxation until changed by law.

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"5. In the following designated counties taxable property shall be assessed at the ratio of assessed value to fair and reasonable market value for each class of property at the rate indicated:

<i>County</i>	<i>Class I</i>	<i>Class II</i>	<i>Class III</i>
Morgan	30%	20%	20%
Limestone	30%	20%	15%
Etowah	30%	20%	15%
Clay	30%	20%	15%
Cleburne	30%	20%	15%
Baldwin	30%	15%	15%
Barbour	30%	15%	15%
Coffee	30%	15%	15%
Bullock	30%	15%	15%
Crenshaw	30%	15%	15%
Franklin	35%	15%	15%
Lawrence	35%	15%	15%
Winston	35%	15%	15%
Marion	35%	15%	15%
Fayette	30%	15%	15%
Lamar	30%	15%	15%
Pickens	30%	15%	15%
Hale	30%	15%	15%
Greene	30%	15%	15%
Wilcox	30%	15%	15%
Monroe	30%	15%	15%
Randolph	30%	15%	15%
Perry	30%	15%	15%
Bibb	30%	15%	15%
Houston	30%	15%	15%
Dale	30%	15%	15%
Henry	30%	15%	15%
Jefferson	30%	25%	20% "

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crowe	Gafford
Adams	Burgess	Culver	Goodwin
Agee	Callahan	Dill	Grainger
Bank	Carnes	Doss	Grey (D)
Barkett	Carter	Downing	Hale
Barron	Chesnut	Drake	Hardin
Bassett	Collins	Easters	Headley
Benton	Connell	Edwards	Hearn
Boles	Cottingham	Ellis	Hill
Boutwell	Crawford	Erdreich	Hughes
Bowers	Cross	Flippo	Jackson

Jones (F)	Meeks	Reid (R)	Taylor
King	Merrill	Reynolds	Therrell
Kinsey	Mims	Robertson	Timmons
Lang	Nettles	St. John	Turner
Lutz	Owens	Slate	Turnham
McBride	Parker	Smith (K)	Waldrop
McCorquodale	Perloff	Snell	Wallace
McDonald	Porter	Stewart	Williams
McMillan	Pruitt	Stokes	Wise
Manley	Reed (T)	Stubbs	Wynot
May			

—85

And the bill, H. 977, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Pruitt
Adams	Crowe	Jones (F)	Reed (T)
Adwell	Culver	King	Reid (R)
Bank	Dill	Kinsey	Reynolds
Barkett	Doss	Lang	Robertson
Barron	Downing	Lutz	St. John
Bassett	Drake	McBride	Slate
Benton	Easters	McCorquodale	Smith (K)
Boles	Edwards	McDonald	Snell
Boutwell	Ellis	McMillan	Stewart
Bowers	Erdreich	Manley	Stokes
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Nettles	Turnham
Chesnut	Hale	O'Daniel	Waldrop
Collins	Hardin	Owens	Wallace
Connell	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hughes	Porter	Wynot

—84

And the bill:

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Was taken up.

Mr. McCluskey offered the following amendment to the bill:

Delete Section 348 D.(b) and insert in lieu thereof the following:

(b) the amount invested by the taxpayer in bonds or other securities issued by the state of Alabama, or any county, municipality or other political subdivision of the state of Alabama, or any public corporation organized under the laws of the State of Alabama, unless such corporation is a dealer in securities; and

And the amendment was adopted.

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Yeas 75; Nays 5.

Yeas:

Mr. Speaker	Doss	King	Reid (R)
Agee	Downing	Kinsey	Roberts
Bank	Drake	Lutz	Robertson
Barkett	Easters	McBride	St. John
Barron	Edwards	McCorquodale	Slate
Bassett	Ellis	McDonald	Smith (K)
Boles	Fite	McMillan	Snell
Boutwell	Flippo	McNair	Stubbs
Brassell	Goodwin	Manley	Taylor
Burgess	Grainger	May	Therrell
Callahan	Grey (D)	Meeks	Timmons
Carter	Hale	Merrill	Turner
Chesnut	Hardin	Mims	Turnham
Collins	Headley	Nettles	Waggoner
Connell	Hearn	Perloff	Wallace
Cottingham	Hill	Porter	Warren
Crawford	Hobbie	Pruitt	Williams
Culver	Hughes	Reed (T)	Wise
Dill	Jackson		

—74

Nays:

Messrs.:	Erdreich	Waldrop	Wynot
Carnes	Stokes		

—5

And the bill, H. 212, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reid (R)
Adwell	Doss	Kinsey	Reynolds
Agee	Downing	Lutz	Roberts
Bank	Drake	McBride	Robertson
Barkett	Easters	McCorquodale	St. John
Barron	Edwards	McDonald	Slate
Bassett	Ellis	McMillan	Smith (K)
Benton	Erdreich	McNair	Snell
Boles	Fite	Manley	Stubbs
Boutwell	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Grey (D)	Nettles	Turnham
Chesnut	Hale	O'Daniel	Waggoner
Collins	Hardin	Owens	Wallace
Connell	Headley	Parker	Warren
Cottingham	Hearn	Perloff	Williams
Crawford	Hill	Porter	Wise
Cross	Hughes	Pruitt	Wood
Crowe	Jackson	Reed (T)	Wynot
Culver	Jones (F)		

—86

And the bill:

H. 447. (With Substitute): To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p.

2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, is further amended to read as follows:

"Section 9. Inspection Fee. An inspection fee is hereby imposed and shall be collected in respect of petroleum products sold, offered for sale, stored or used in the State, the said fee to be measured by the number of gallons and to be at the following rates:

"(a) Gasoline: one-fortieth of one cent (1/40¢) per gallon,

"(b) Diesel fuel other than that referred to in clauses (e), (f), (g), (h) and (i) of this section: one cent (1¢) per gallon.

"(c) Kerosene other than that referred to in clauses (e), (f), (g) and (i) of this section: one cent (1¢) per gallon,

"(d) Lubricating oil: fifteen cents (15¢) per gallon,

"(e) Kerosene or diesel fuel that are of the types customarily used as, and that are intended to be used only as, fuel to propel jet aircraft: one-fortieth of one cent (1/40¢) per gallon,

"(f) Kerosene or diesel fuel that is used by the ultimate consumer thereof as motor fuel to operate boats, yachts, ships or other maritime vehicles, whether said boats, yachts, ships or other maritime vehicles are used commercially or for pleasure: one-fortieth of one cent (1/40¢) per gallon,

"(g) Kerosene or diesel fuel used by the ultimate consumer thereof to propel or operate tractors which are not operated on public highways but which are used exclusively in preparing and cultivating land, harvesting any agricultural commodity, or for other agricultural purposes, including pasture and hay products; provided, however, that the term 'tractors' as used herein shall not include automobiles, trucks, pick-ups, trailers, semi-trailers, or other such vehicles; one-fortieth of one cent (1/40¢) per gallon,

"(h) Diesel fuel that is of the types customarily used as, and that is intended to be used only as fuel to propel railroad locomotives: one-fortieth of one cent (1/40¢) per gallon. Diesel fuel of the types referred to in this clause (h) shall be inspected in a manner determined and prescribed by the Commissioner. It shall be the duty of the person first selling or storing or using any petroleum product in the state to pay said inspection fee. The inspection fee herein provided for shall be paid to the Commissioner on or before the 20th day of each month in respect of all petroleum products sold, stored or used in the state during the preceding month, and each remittance shall be accompanied by a certificate stating that the amount remitted is correct and that the petroleum products so sold, stored or used are of standard not less than the minimum specified for that petroleum product in the standards prescribed by the board pursuant to Section 5 hereof. If, at the time the said inspection fee is due, the person liable therefore is unable to ascertain the correct amount of such inspection fee because the use to be made of any diesel fuel or kerosene with respect to which the said inspection fee is then due has not been or cannot be ascertained at such time, then such person shall pay to the Commissioner as the inspection fee payable with respect to such diesel fuel and kerosene, one cent (1¢) for each gallon of such diesel fuel and each gallon of such kerosene. Upon furnishing proof satisfactory to the Commissioner that all or any portion of such diesel fuel or kerosene with respect to which an inspection fee at the rate of one cent (1¢) per gallon has been paid or has been or will be used for a purpose or purposes specified in clauses (e), (f), credit against the amount of inspection fee becoming due from such person on the 20th day of the then next following calendar month, such credit to be in an amount equal to thirty-nine-fortieths of one cent (39/40¢) for each gallon of kerosene or diesel fuel proved to have been used or to be used for such specified purpose or purposes; provided, that should the credit to which a person is entitled hereunder exceed the amount of the inspection fee becoming due from such person on the 20th day of the then next following calendar month, then the excess of the credit over the amount of the inspection fee becoming due shall be refunded to such person, or, at such person's election, credited against the amount of any inspection fees subsequently becoming due from such person. The board shall have authority to promulgate rules and regulations with respect to the form and content of the proof of use which must be supplied by a person seeking such a credit or refund and with respect to the procedure to be followed in applying for such a credit or refund. The inspection fee herein provided for shall be paid but once with respect to the same product, but in the event any person fails to make payment as herein provided on or before the date such payment is due, the Commissioner shall add to the inspection fee already due an amount equal to 10% thereof as a penalty for the failure of such person to make such report and payment upon the date herein provided and shall proceed to collect such inspection fee, together with all costs incident to such collection, including the penalty. The inspection fee (and any penalty added thereto) shall constitute and operate as a lien, at all times until paid, upon any petroleum products sold or offered for sale or stored or used in the state by the person liable for the fee, and shall be immediately enforceable by the Commissioner when due in the same manner as are tax liens upon personal property of a delinquent taxpayer. The inspection fee provided for herein is in addition to all other fees and all taxes payable with respect to petroleum products. Notwithstanding anything to the contrary herein, no inspection fee or withholding anything to the contrary herein, no inspection fee or penalty shall be due or payable with respect to petroleum products which are sold or

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offered for sale or stored or used while they are in interstate or international commerce, but if after such petroleum products are removed from interstate or international commerce, such petroleum products are sold or offered for sale or stored or used in the state, the fee herein provided for shall be payable with respect to such petroleum products. It is further provided that the board shall have authority to adopt and promulgate reasonable rules and regulations to effectuate the evident intent and purpose of this section with respect to reporting, collection, remittance and payments of the petroleum products inspection fees imposed hereunder which shall not conflict with any of the express provisions and requirements of said section.

"(i) Kerosene or diesel fuel used by the ultimate consumer thereof as a solvent or other agent in the treatment or preservation of wood products; one-fortieth of one cent (1/40¢) per gallon."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCorquodale	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Bowers	Gafford	May	Taylor
Brassell	Goodwin	Meeks	Therrell
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Nettles	Waggoner
Chesnut	Hale	O'Daniel	Wallace
Collins	Hardin	Owens	Warren
Connell	Headley	Parker	Williams
Crawford	Hearn	Perloff	Wise
Cross	Hill	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reid (R)	

—83

And the bill, H. 447, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker	Boles	Collins	Doss
Adams	Boutwell	Connell	Downing
Agee	Bowers	Cottingham	Drake
Bank	Brassell	Crawford	Easters
Barkett	Callahan	Cross	Edwards
Barron	Carnes	Crowe	Ellis
Bassett	Carter	Culver	Erdreich
Benton	Chesnut	Dill	Fite

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Flippo	King	Mims	Stokes
Gafford	Kinsey	Nettles	Stubbs
Goodwin	Lang	O'Daniel	Taylor
Grainger	Lutz	Owens	Therrell
Gray (F)	McBride	Perloff	Timmons
Grey (D)	McCorquodale	Porter	Waggoner
Hale	McDonald	Pruitt	Waldrop
Hardin	McMillan	Reynolds	Wallace
Headley	Manley	Roberts	Warren
Hearn	Mathews	St. John	Wise
Hughes	May	Smith (K)	Wood
Jackson	Meeks	Smith (P)	Wynot
Jones (F)	Merrill	Snell	
<i>Nay:</i>	Mr. McNair.		

And the bill:

H. 516. To increase certain fees prescribed for the Secretary of State to be charged for services performed in connection with service of process in certain cases, and for such purpose to amend further Code of Alabama 1940, Title 7, Sections 192, 193 and 199, as amended; Act No. 415, S. 280, Regular Session 1959 (Acts 1959, p. 1102), as amended; Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), as amended; and Act No. 1936, H. 256, Regular Session 1971 (Acts 1971, p. 1325), all relating to such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Pruitt
Adams	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Fite	McDonald	Stokes
Boles	Gafford	McMillan	Taylor
Boutwell	Grainger	McNair	Timmons
Brassell	Gray (F)	Manley	Turnham
Callahan	Grey (D)	May	Waggoner
Carnes	Hale	Meeks	Waldrop
Carter	Hardin	Merrill	Wallace
Chesnut	Headley	Nettles	Williams
Collins	Hearn	O'Daniel	Wise
Connell	Hughes	Owens	Wood
Crawford	Jackson	Porter	Wynot
Cross			

—73

And the bill:

H. 518. To amend further Sections 13 and 21 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055), known as the Alabama Business Corporation Act, as heretofore amended, so as to increase the fees for filing certain statements of incorporation and amendments thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 2.

Yeas:

Mr. Speaker	Cross	Hill	Parker
Adams	Culver	Hughes	Pruitt
Adwell	Dill	Jackson	Roberts
Agee	Doss	King	Robertson
Barkett	Downing	Kinsey	St. John
Barron	Drake	Lang	Smith (K)
Bassett	Easters	Lutz	Stokes
Benton	Edwards	McBride	Stubbs
Boles	Ellis	McCluskey	Taylor
Boutwell	Erdreich	McCorquodale	Timmons
Brassell	Fite	McDonald	Turner
Callahan	Flippo	McMillan	Turnham
Carnes	Grainger	McNair	Waggoner
Carter	Gray (F)	Manley	Waidrop
Chesnut	Grey (D)	May	Wallace
Collins	Hale	Meeks	Williams
Connell	Hardin	Nettles	Wise
Coshatt	Headley	O'Daniel	Wynot
Crawford	Hearn	Owens	

—75

Nays: Messrs. Porter and Slate.

—2

And the bill:

H. 735. To provide for legislative findings, purpose, and intent, to provide for definitions; to transfer duties to the Alabama Air Pollution Control Commission and the Alabama Water Improvement Commission; to provide for personnel policies; and to provide for repeal of inconsistent laws, and an effective date.

Was taken up.

MOTION TO POSTPONE TABLED

On motion of Mr. Grainger, the motion offered by Mr. Cauthen to temporarily postpone the bill, H. 735, was tabled.

Yeas 41; Nays 27.

Yeas:

Mr. Speaker	Downing	Lutz	Robertson
Bank	Drake	McDonald	St. John
Boutwell	Easters	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Grainger	Mathews	Timmons
Burgess	Grey (D)	Merrill	Turner
Callahan	Hale	Mims	Turnham
Carnes	Headley	Owens	Waggoner
Collins	Hughes	Reid (R)	Wood
Connell	King	Roberts	Wynot
Cottingham			

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Nays:

Messrs.:	Dill	Hobbie	Porter
Barkett	Doss	Jones (F)	Reynolds
Barron	Edwards	McBride	Slate
Bassett	Erdreich	Meeks	Smith (P)
Cauthen	Gray (F)	Naramore	Stewart
Chesnut	Hardin	Nettles	Waldrop
Crawford	Harris	Perloff	Wallace

—27

H. 735 TEMPORARILY POSTPONED

On motion of Mr. Jones (F), the bill, H. 735, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 362. To provide an expense allowance to the official court reporter of the Thirty-fifth Juricial Circuit of Alabama payable by the counties composing said circuit and providing for an effective date.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 65. Mourning the death of former Senator James Thomas McDow.

Also:

S. J. R. 67. Mourning the death of former Senator James A. Simpson.

Also:

S. J. R. 71. Commending L. Tennent Lee, Jr. on his retirement.

Also:

S. J. R. 78. Mourning the death of former Senator O. J. "Joe" Goodwyn.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

SPECIAL ORDER RESUMED

And the bill:

H. 1211. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in the operation in the State of Alabama, or intended for use or operation in the State of Alabama, or primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 16.

Yeas:

Mr. Speaker	Drake	King	St. John
Adwell	Ellis	Lutz	Slate
Bank	Fite	McCluskey	Smith (K)
Barron	Flippo	McCorquodale	Smith (P)
Boutwell	Grainger	McDonald	Snell
Bowers	Grey (D)	McMillan	Stokes
Brassell	Hale	McNair	Stubbs
Burgess	Hardin	Manley	Therrell
Casey	Harris	Meeks	Turner
Coshatt	Headley	Merrill	Waggoner
Cottingham	Hearn	Mims	Wallace
Crowe	Hobbie	Reid (R)	Williams
Culver	Hughes	Roberts	Wise
Doss	Jackson	Robertson	Wynot
Downing			

—57

Nays:

Messrs.:	Dill	McBride	Porter
Carnes	Erdreich	Meeks	Reynolds
Carter	Falkenburg	Parker	Stewart
Cauthen	Goodwin	Perloff	Waldrop
Cross			

—16

And the bill:

H. 1212. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in de-

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vices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 11.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Robertson
Adams	Crowe	Hughes	St. John
Adwell	Culver	Jackson	Slate
Bank	Doss	King	Smith (K)
Barkett	Downing	Lutz	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stokes
Boles	Erdreich	McDonald	Stubbs
Boutwell	Fite	McMillan	Taylor
Bowers	Grainger	Manley	Therrell
Brassell	Gray (F)	Mathews	Turner
Burgess	Grey (D)	May	Turnham
Carter	Hale	Merrill	Waggoner
Casey	Hardin	Mims	Wallace
Chesnut	Harris	Porter	Williams
Collins	Headley	Reid (R)	Wise
Connell	Hearn	Roberts	Wood
Coshatt			

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Nays:

Messrs.:	Cross	McBride	Reynolds
Carnes	Dill	Parker	Stewart
Crawford	Goodwin	Perloff	Waldrop

—11

And the bill:

H. 1213. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 9.

Yeas:

Mr. Speaker	Crowe	Hughes	Slate
Adams	Culver	King	Smith (K)
Adwell	Doss	Lutz	Smith (P)
Barron	Downing	McCluskey	Snell
Bassett	Edwards	McCorquodale	Stokes
Boles	Ellis	McDonald	Stubbs
Boutwell	Fite	Manley	Taylor
Bowers	Flippo	Mathews	Therrell
Brassell	Grainger	May	Turner
Burgess	Gray (F)	Merrill	Turnham
Carnes	Grey (D)	Mims	Waggoner
Carter	Hale	Owens	Wallace
Casey	Hardin	Porter	Williams
Chesnut	Harris	Reid (R)	Wise
Collins	Headley	Roberts	Wood
Coshatt	Hearn	St. John	Wynot
Cottingham	Hobbie		

—66

Nays:

Messrs.:	Goodwin	Perloff	Stewart
Dill	McBride	Reynolds	Timmons
Erdreich	Parker		

—9

And the bill:

H. 1214. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 10.

Yeas:

Mr. Speaker	Collins	Gray (F)	McDonald
Adams	Connell	Grey (D)	McMillan
Adwell	Coshatt	Hale	Manley
Barron	Cottingham	Hardin	Mathews
Bassett	Crowe	Harris	May
Benton	Culver	Headley	Meeks
Boles	Doss	Hearn	Merrill
Boutwell	Downing	Hobbie	Mims
Bowers	Edwards	Hughes	Owens
Brassell	Ellis	King	Porter
Burgess	Erdreich	Kinsey	Reid (R)
Carnes	Fite	Lutz	Roberts
Casey	Flippo	McCluskey	Robertson
Chesnut	Grainger	McCorquodale	St. John

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Slate	Stokes	Turner	Warren	
Smith (K)	Stubbs	Waggoner	Williams	
Smith (P)	Taylor	Wallace	Wynot	
Snell	Therrell			—70

Nays:

Messrs.:	Goodwin	Perloff	Timmons	
Crawford	McBride	Reynolds	Waldrop	
Dill	Parker	Stewart		—10

And the bill:

H. 1215. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 11.

Yeas:

Mr. Speaker	Doss	King	St. John	
Adams	Downing	Lutz	Slate	
Adwell	Edwards	McCluskey	Smith (K)	
Barron	Ellis	McCorquodale	Smith (P)	
Bassett	Erdreich	McDonald	Snell	
Boles	Fite	McMillan	Stokes	
Boutwell	Flippo	Manley	Stubbs	
Bowers	Grainger	Mathews	Taylor	
Brassell	Gray (F)	May	Therrell	
Burgess	Grey (D)	Meeks	Turner	
Carter	Hale	Merrill	Waggoner	
Casey	Harris	Mims	Wallace	
Cauthen	Headley	Owens	Warren	
Chesnut	Hearn	Porter	Williams	
Collins	Hobbie	Reid (R)	Wise	
Connell	Hughes	Roberts	Wood	
Cottingham	Jackson	Robertson	Wynot	
Culver				—69

Nays:

Messrs.:	Dill	Parker	Stewart	
Carnes	Goodwin	Perloff	Timmons	
Crawford	McBride	Reynolds	Waldrop	—11

And the bill:

H. 1216. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of

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the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 12.

Yeas:

Mr. Speaker	Doss	King	St. John
Adams	Downing	Kinsey	Slate
Adwell	Edwards	Lutz	Smith (K)
Barron	Ellis	McCorquodale	Snell
Bassett	Erdreich	McDonald	Stokes
Benton	Fite	McMillan	Stubbs
Boles	Flippo	Manley	Taylor
Boutwell	Grainger	Mathews	Therrell
Bowers	Gray (F)	May	Turner
Brassell	Gray (D)	Meeks	Turnham
Callahan	Hale	Merrill	Waggoner
Casey	Hardin	Mims	Wallace
Chesnut	Harris	Owens	Williams
Connell	Hearn	Porter	Wise
Cottingham	Hobbie	Reid (R)	Wood
Cross	Hughes	Roberts	Wynot
Culver	Jackson	Robertson	

—67

Nays:

Messrs.:	Dill	Parker	Stewart
Carnes	Goodwin	Perloff	Timmons
Cauthen	McBride	Reynolds	Waldrop
Crawford			

—12

And the bill:

H. 790. To amend further Act No. 999, H. 288, of the Regular Session 1969 (Acts 1969, p. 1855), as amended, which act creates the Alabama Peace Officers Retirement System, amending sections 3, 8, 10, 11, and 14 thereof; so as to provide for increased compensation to board members; to modify the provisions for eligibility and monthly charges as relates to the membership in the retirement fund; and to make various modifications relating to retirement benefits, disability payments, and refunds pursuant to such retirement fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Doss
Adams	Bowers	Connell	Downing
Adwell	Brassell	Cottingham	Ellis
Barkett	Burgess	Crawford	Erdreich
Barron	Callahan	Cross	Falkenburg
Bassett	Carnes	Crowe	Fite
Benton	Carter	Culver	Flippo
Boles	Casey	Dill	Goodwin

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Grainger	Lutz	Porter	Stubbs
Gray (F)	McCorquodale	Reed (T)	Taylor
Grey (D)	McDonald	Reid (R)	Therrell
Hale	McMillan	Reynolds	Timmons
Hardin	Manley	Roberts	Turner
Harris	Mathews	Robertson	Turnham
Headley	May	St. John	Waggoner
Hearn	Meeks	Slate	Waldrop
Hill	Merrill	Smith (K)	Wallace
Hughes	Mims	Smith (P)	Williams
Jackson	Naramore	Snell	Wise
Jones (F)	Owens	Stewart	Wood
King	Perloff	Stokes	Wynot
Kinsey			

—85

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted all members voting "Yea" on the bill, H. 790, to have their names added as co-sponsors.

And the bill:

H. 1536. (With Amendment): To regulate the sale of livestock at public livestock auction markets by providing for the collection and deposit of monies received from sales of livestock to assure prompt payment for livestock sold; to authorize the adoption of rules and regulations to effectuate the purpose of this Act; to provide a penalty for violations of this Act; and to repeal conflicting laws.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Agriculture, said Committee amendment being as follows:

Amend Section 1, Subsection (b) of House Bill 1536 by striking out the following words in subsection (b): "who is responsible for the purchase price", and insert in lieu of said words the following words:

"whoever is responsible for payment of the purchase price"

And the amendment was adopted.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Casey	Goodwin	Lutz
Adams	Chesnut	Grainger	McBride
Adwell	Connell	Gray (F)	McCluskey
Barkett	Coshatt	Grey (D)	McCorquodale
Barron	Cottingham	Hale	McDonald
Bassett	Crawford	Hardin	McMillan
Benton	Cross	Harris	Manley
Boles	Crowe	Headley	Mathews
Boutwell	Culver	Hearn	May
Bowers	Dill	Hughes	Meeks
Brassell	Downing	Jackson	Merrill
Burgess	Edwards	Jones (F)	Mims
Callahan	Erdreich	King	Naramore
Carter	Fite	Kinsey	Owens

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Parker	Robertson	Stubbs	Wallace
Perloff	St. John	Taylor	Wynot
Porter	Slate	Therrell	Waldrop
Pruitt	Smith (K)	Timmons	Warren
Reid (R)	Smith (P)	Turner	Williams
Reynolds	Snell	Turnham	Wise
Roberts	Stokes	Waggoner	Wood

—84

Nays: Messrs. Carnes and Stewart.

—2

And the bill, H. 1536, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Bank	Doss	Kinsey	Roberts
Barron	Downing	Lutz	Robertson
Bassett	Drake	McBride	St. John
Benton	Edwards	McCluskey	Smith (K)
Boles	Ellis	McCorquodale	Smith (P)
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Fite	McMillan	Taylor
Brassell	Goodwin	Manley	Therrell
Callahan	Grainger	May	Timmons
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Merrill	Turnham
Casey	Hale	Mims	Waggoner
Chesnut	Hardin	Naramore	Waldrop
Collins	Harris	Owens	Wallace
Connell	Headley	Parker	Warren
Coshatt	Hearn	Perloff	Williams
Cottingham	Hughes	Porter	Wise
Crawford	Jackson	Pruitt	Wynot
Cross			

—81

Nays: Messrs. Cauthen and Stewart.

—2

MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill No. 929.

Respectfully submitted

HARRY L. PENNINGTON,
Executive Secretary.

JULY 31, 1973

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To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 929 without my signature and approval for the reason that the author of the bill requested this action as the Senate has passed an identical bill.

Respectfully

GEORGE C. WALLACE

Governor

JULY 31, 1973

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 929. Relating to counties having a population of not less than 52,500 nor more than 53,000 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Mr. Barkett moved passage of the bill, H. 929, the Governor's veto to the contrary notwithstanding.

And the bill, H. 929, was again read at length, and the house refused to pass said bill over the veto of the Governor.

Yeas 2; Nays 87.

Yeas: Messrs. Easters and McCluskey.

—2

Nays:

Mr. Speaker	Crawford	Hobbie	Reed (T)
Adams	Cross	Hughes	Reynolds
Adwell	Culver	Jackson	Roberts
Bank	Dill	Jones (F)	Robertson
Barkett	Doss	King	St. John
Barron	Downing	Kinsey	Slate
Bassett	Drake	Lutz	Smith (K)
Benton	Edwards	McBride	Smith (P)
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Taylor
Brassell	Falkenburg	McMillan	Therrell
Burgess	Fite	Manley	Timmons
Callahan	Flippo	May	Turner
Carnes	Goodwin	Meeks	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Parker	Williams
Connell	Harris	Perloff	Wise
Coshatt	Headley	Porter	Wynot
Cottingham	Hearn	Pruitt	

—87

Which was a majority of the whole number elected to the House.

SPECIAL ORDER RESUMED

And the bill:

H. 653. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945 p. 478), an act providing for appointment and designation of Supernumerary Circuit Judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reed (T)
Adams	Dill	Jackson	Reid (R)
Adwell	Doss	King	Reynolds
Bank	Downing	Kinsey	Roberts
Barkett	Drake	Lutz	Robertson
Barron	Easters	McBride	St. John
Bassett	Edwards	McCluskey	Slate
Benton	Ellis	McCorquodale	Smith (K)
Boles	Erdreich	McDonald	Smith (P)
Boutwell	Falkenburg	McMillan	Stewart
Brassell	Fite	Manley	Therrell
Burgess	Flippo	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker	Warren
Connell	Harris	Perloff	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wynot
Crawford			

—85

And the bill:

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 3.

Yeas:

Mr. Speaker	Brassell	Crawford	Erdreich
Adams	Burgess	Cross	Falkenburg
Bank	Callahan	Culver	Fite
Barkett	Carter	Dill	Flippo
Barron	Chesnut	Downing	Goodwin
Bassett	Collins	Drake	Grainger
Benton	Connell	Easters	Gray (F)
Boles	Coshatt	Edwards	Grey (D)
Boutwell	Cottingham	Ellis	Hale

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Hardin	McCorquodale	Parker	Smith (P)
Harris	McDonald	Perloff	Stewart
Hearn	McMillan	Porter	Taylor
Hill	Manley	Pruitt	Therrell
Hobbie	Mathews	Reed (T)	Timmons
Hughes	May	Reid (R)	Turnham
Jackson	Meeks	Reynolds	Wallace
Jones (F)	Merrill	Roberts	Warren
King	Mims	Robertson	Williams
Kinsey	Naramore	St. John	Wise
McBride	O'Daniel	Slate	Wynot
McCluskey	Owens	Smith (K)	—83

Nays: Messrs. Carnes, Lutz and Waldrop. —3

And the bill:

H. 1005. (With Amendments): To create a uniform military code by rewriting Sections 1-185 and Sections 203-349 of Title 35, Code of Alabama and amendments thereto, to provide for the Alabama National Guard and naval militia and to provide for the Alabama State Guard; to provide for the training, regulation, maintenance and appropriations therefor; to establish the state military department and the office of the Adjutant General and to prescribe the duties, authority, and power of such department and office; to establish a uniform code of military justice and to provide other authority incidental to the proper establishment and maintenance of the Alabama National Guard, naval militia, and the Alabama State Guard.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Military Affairs, said Committee amendment being as follows:

Section 12 of House Bill 1005 is hereby amended to read as follows:

"Section 12. Exemption from state toll bridge and tunnel fees, and automobile license fees. — Under such rules and regulations as may be drafted by the military advisory board of the state, and approved by the governor, individual officers, warrant officers, and enlisted men of the national guard and the naval militia of this state, and individual officers, warrant officers, and enlisted men of the United States army or navy on duty with the national guard or naval militia of this state and detachments and units of such of the land and naval forces of this state or the United States as may be specifically mentioned in such regulations or in special orders issued by the governor, may be exempted from the payments of toll bridge and tunnel fees within the state. There shall be exempt from the operation of the privilege or license tax and registration fee now or hereafter to be levied on automobiles and motor vehicles by the state of Alabama, passenger vehicles owned and operated by the federal government, or any passenger vehicle owned and operated by officers and enlisted men actually serving in the United States army who are assigned by the department of defense as instructors or sergeant-instructors with the national guard of Alabama or by all officers, warrant officers, and enlisted men who are serving on active duty in the armed forces of the United States who are residents of Alabama at the time the exemption is claimed and who entered active service from Alabama and were residents of Alabama at the time of entering service or by all commissioned officers, noncommissioned officers, and enlisted men of the active national guard of Alabama and

active members of the United States armed forces reserve organizations. Provided that each individual who is entitled to the exemption from the operation of the motor vehicle or license tax and registration fee levied on automobiles and motor vehicles by the state of Alabama shall be entitled to such exemption for only one passenger vehicle; it being the intention of this legislature to limit such exemption to one per individual serviceman. Such vehicles shall be properly identified with tags or plates issued by the proper department of the federal government or by the commanding officers of the army or national guard having jurisdiction in the premises; and upon presentation of such proper identification to the county officials of the county in which said vehicle is ordinarily kept or stored said official of the state of Alabama shall issue a license tag to be attached to said vehicle, without, however, charging the usual fees for registration or licensing of said vehicles. Distinctive automobile license tags shall continue to be available to members of the Alabama national guard as now provided for by law."

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Owens
Adams	Cottingham	Hearn	Perloff
Adwell	Crawford	Hill	Porter
Bank	Cross	Hughes	Pruitt
Barkett	Culver	Jones (F)	Reed (T)
Barron	Downing	King	Reid (R)
Bassett	Drake	Kinsey	Reynolds
Benton	Easters	Lutz	St. John
Boles	Edwards	McBride	Slate
Boutwell	Ellis	McCluskey	Smith (P)
Bowers	Erdreich	McCorquodale	Stewart
Brassell	Falkenburg	McDonald	Taylor
Burgess	Flippo	McMillan	Therrell
Callahan	Goodwin	Manley	Turnham
Carnes	Grainger	May	Waldrop
Carter	Gray (F)	Meeks	Wallace
Casey	Grey (D)	Merrill	Williams
Chesnut	Hale	Mims	Wise
Collins	Hardin	Naramore	Wynot
Connell			

—77

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Military Affairs, said Committee amendment being as follows:

Section 59 of House Bill 1005 is hereby amended to read as follows:

"Section 59. The adjutant general. — The head of the military department shall be a commissioned officer of the national guard of Alabama and shall be designated as the adjutant general. He shall be designated and assigned to duty as the adjutant general by the governor and shall serve as adjutant general at the pleasure of the governor. He may be commissioned as an officer on the state staff, in the adjutant general's department, and he may have such rank as is now or may hereafter be provided for an officer of the state staff, adjutant general's department, under the provisions of the national defense act and war department regulations promulgated thereunder. The officer of the national guard of Alabama assigned to duty by the governor as

the adjutant general may be commissioned by the governor as a general officer in the national guard of Alabama, with the consent of the senate. The adjutant general shall be appointed from among active officers of the federally recognized national guard, and he shall have had at least six years service therein, two years of which must have been in the line, and shall have served as a commissioned officer in the active national guard for not less than four years. The adjutant general of the state shall be in direct charge of the military department and shall be responsible to the governor and commander-in-chief for the proper performance of his duties. All the powers conferred and duties imposed by law upon the adjutant general shall be exercised or performed by him under the direction and control of the governor. The adjutant general shall be chief of the state staff, national guard of Alabama, the personal staff of the governor, and similar military agencies of the state. He shall supervise the receipt, preservation, repair, distribution, issue and collection of all arms, military equipment, stores of the state and of the United States. He shall supervise all troops, arms and branches of the militia, such supervisory powers covering primarily all duties pertaining to the organization, armament, discipline, training, recruiting, inspecting, instructing, pay, subsistence and supplies. He shall maintain a roster of all the officers and men of the national guard and naval militia of the state and keep on file in his office copies of all orders, reports and communications received and issued by the military department in its several branches and sections. He shall, from time to time, cause the laws and all state regulations that may be written thereunder, to be printed, bound and distributed at the expense of the state. The adjutant general shall, from time to time, prepare and publish, by order of the governor, such orders, rules and regulations consistent with the law as are necessary to bring the organization, armament, equipment, training and discipline of the various classes of the militia of Alabama to a state of efficiency as nearly as possible to that of the United States army and navy. He shall prepare such reports and returns as the secretary of war or the secretary of the navy of the United States may prescribe and require. He shall perform such other duties as may be required of him by the commander-in-chief, and the comptroller of Alabama shall draw warrants on the treasury for all expenses incurred under this section on bills regularly presented to, and approved by, the governor. It shall be the duty of the adjutant general, if ordered by the governor, to visit and inspect each company, troop, or battery at least once a year, and to report to the commander-in-chief the condition of armories and other military buildings and properties, and of the arms, equipment and personnel of said organizations, and make such recommendations as he thinks proper in regard thereto. Provided, that, the adjutant general may designate members of the state staff or field officers of the national guard, as inspecting officers for the purposes in question. The adjutant general shall assist all persons residing in Alabama, or other states, having claims against the state or the United States for compensation, pension, retired pay, bounty or back pay, or service medals and decorations awarded by the United States, or the state of Alabama, where such claims and requests have arisen out of, or by reason of, service in any of the wars or insurrections concerning the United States or the state of Alabama. He shall furnish to claimants, or their accredited representatives, or assist them in procuring all necessary certificates and certified abstracts from the records and documents in the state military department and other departments of the state or the United States. Provided, that, any or all of these services shall be rendered without charge to the claimant. The adjutant general shall have a seal of office, to be approved by the commander-in-chief, and all copies of papers in his office duly certified and authenticated under the

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said seal shall be evidence in all cases in like manner as if the original were produced."

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hearn	Porter
Barkett	Cross	Hobbie	Pruitt
Barron	Culver	Hughes	Reed (T)
Bassett	Dill	Jones (F)	Reid (R)
Benton	Downing	King	Reynolds
Boles	Drake	Kinsey	Robertson
Boutwell	Easters	Lutz	St. John
Bowers	Edwards	McBride	Slate
Brassell	Ellis	McCluskey	Smith (P)
Burgess	Erdreich	McCorquodale	Taylor
Callahan	Falkenburg	McDonald	Timmons
Carnes	Gafford	McMillan	Turnham
Carter	Goodwin	Manley	Waggoner
Casey	Grainger	May	Waldrop
Chesnut	Gray (F)	Meeks	Wallace
Collins	Grey (D)	Merrill	Williams
Connell	Hale	Naramore	Wise
Coshatt	Hardin	O'Daniel	Wynot
Cottingham	Harris	Owens	

—75

Mr. Jones (F) offered the following amendment to the bill, as amended:

Amend House Bill 1005, Section 13, subsection (a) after third line ending ". . . political subdivision thereof," add the following:

". . . or officers or employees of any public or private business or industry . . .".

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hobbie	Perloff
Adwell	Cottingham	Hughes	Porter
Bank	Crawford	Jones (F)	Pruitt
Barkett	Cross	King	Reed (T)
Barron	Culver	Kinsey	Reid (R)
Bassett	Dill	Lutz	Reynolds
Benton	Downing	McBride	Robertson
Boles	Drake	McCluskey	St. John
Boutwell	Easters	McCorquodale	Smith (P)
Bowers	Edwards	McDonald	Taylor
Brassell	Ellis	McMillan	Therrell
Burgess	Erdreich	Manley	Turnham
Callahan	Falkenburg	May	Waggoner
Carnes	Gafford	Meeks	Waldrop
Carter	Goodwin	Merrill	Wallace
Casey	Hale	Mims	Warren
Chesnut	Hardin	Naramore	Williams
Collins	Harris	O'Daniel	Wise
Connell	Hearn	Owens	Wynot

—76

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And the bill, H. 1005, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Culver	Hughes	Porter
Adams	Dill	Jackson	Pruitt
Adwell	Downing	Jones (F)	Reed (T)
Barkett	Drake	King	Reid (R)
Barron	Easters	Kinsey	Reynolds
Bassett	Edwards	McBride	Robertson
Benton	Ellis	McCluskey	St. John
Boles	Erdreich	McCorquodale	Smith (P)
Boutwell	Falkenburg	McDonald	Taylor
Bowers	Fite	McMillan	Therrell
Brassell	Flippo	Manley	Timmons
Burgess	Gafford	May	Turnham
Callahan	Goodwin	Meeks	Waggoner
Carnes	Gray (F)	Merrill	Waldrop
Carter	Hale	Mims	Wallace
Casey	Hardin	Naramore	Warren
Chesnut	Harris	O'Daniel	Williams
Connell	Hearn	Owens	Wise
Coshatt	Hill	Parker	Wood
Cottingham	Hobbie	Perloff	Wynot
Cross			

—81

Nays: Messrs. Cauthen and Slate.

—2

And the bill:

H. 828. (With Substitute): To amend Title 22, Section 199 and 199(1) relating to the system of care for tuberculosis patients.

Was taken up.

H. 828 INDEFINITELY POSTPONED

On motion of Mr. Roberts, the bill, H. 828 with pending substitute, was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Roberts, the rules were suspended in order to bring up for immediate consideration the third reading of the bill, S. 273.

Yeas 83; Nays 2.

Yeas:

Mr. Speaker	Burgess	Crawford	Flippo
Adams	Callahan	Cross	Gafford
Adwell	Carnes	Culver	Goodwin
Barkett	Carter	Downing	Grainger
Barron	Casey	Drake	Gray (F)
Benton	Cauthen	Easters	Grey (D)
Boles	Chesnut	Edwards	Hale
Boutwell	Connell	Ellis	Hardin
Bowers	Coshatt	Erdreich	Harris
Brassell	Cottingham	Fite	Hearn

Hill	Manley	Porter	Stokes	
Hobbie	Mathews	Pruitt	Taylor	
Hughes	May	Reed (T)	Therrell	
Jones (F)	Meeks	Reid (R)	Turner	
King	Merrill	Reynolds	Turnham	
Kinsey	Mims	Roberts	Waldrop	
Lutz	Naramore	St. John	Wallace	
McBride	Nettles	Slate	Williams	
McCluskey	O'Daniel	Smith (K)	Wise	
McDonald	Owens	Smith (P)	Wood	
McMillan	Parker	Stewart		—83
Nays: Messrs. Dill and Robertson.				—2

And the bill:

S. 273. (With Substitute): To amend Title 22, Section 199 and 199(1) relating to the system of care for tuberculosis patients.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Title 22, Section 199 and 199(1) relating to the system of care for tuberculosis patients.

Be It Enacted by the Legislature of Alabama:

Section 1. The Code of Alabama 1958 Recompiled, Cumulative Supplement 1971, Title 22, Section 199, be amended to read as follows:

"Section 199. Care of patients; non-resident patients; reports as to patients; charges for treatment; establishment of subsidized beds for indigent patients; operation of clinics for treatment and control of tuberculosis. (1) It shall be the duty of the State Committee of Public Health to assure the statewide operation of outpatient clinics necessary for the treatment and control of tuberculosis. These clinics shall make available anti-tuberculosis drugs and conduct a continuing search for individuals infected with tuberculosis. (2) The State Committee of Public Health shall have the authority to contract with accredited general hospitals to serve as regional tuberculosis hospitals and to allocate beds in existing accredited tuberculosis hospitals for the care and treatment of indigent tuberculosis patients. The State Committee of Public Health shall allocate the number of beds required for the care of hospitalized tuberculosis patients who are indigent in the designated regional hospitals eligible to receive State funds, regardless of the method by which said hospital was established. Such hospitals shall be reviewed by the State Committee of Public Health not less frequently than annually and said Committee shall announce the results of such review and allocations. Such allocations become effective sixty (60) days following such announcement, provided however such sixty-day waiting period is waived for the announcement of initial allocations for the fiscal year beginning the first day of October, 1973. Such designated hospitals shall furnish the State Committee of Public Health as of the first day of each month such reports as are required by the Committee. Such

reports shall include the number of tuberculosis patients treated in the hospital during the preceding calendar month, the number of days in hospital, and the actual per diem cost per patient cared for in the hospital, and such other details as may be required by the Committee. The report shall be verified by a designated officer of the hospital. If accepted and approved by the State Health Officer it shall be the duty of the Health Officer to certify to the Department of Finance the amount for payment to such hospital, whereupon the Comptroller with the approval of the Governor shall draw his warrant on the State Treasurer in favor of the hospital for such an amount as will constitute compensation at the rate of Thirty Dollars (\$30.00) per day per allotted bed during the report period for the care provided. The State Committee of Public Health is authorized to enter into agreement with designated regional accredited general hospitals for the care and treatment of indigent tuberculosis patients. The same reports shall be required of such hospitals as those required of accredited specialized tuberculosis hospitals. (3) The State Committee of Public Health may grant twelve (12) months additional time to those hospitals determined to be making reasonable progress toward accreditation. (4) The amount of expenditure for the purpose of treatment of tuberculosis, operation of clinics for treatment and control of tuberculosis, and provision of anti-tuberculosis drugs shall be that sum provided in the General Appropriation Act. These sums shall be budgeted, allotted, and expended pursuant to Article 3, Chapter 4, Title 55, Code of Alabama 1940. In the event the total amount appropriated from the State Treasury is insufficient to meet in full the financial obligations enumerated above on the State's part, the State Health Officer is authorized to prorate such appropriations among those participating in the provisions of this Article. Nothing in this Article shall be construed to mean that any hospital may not charge a person not in indigent circumstances a reasonable sum for care and treatment of tuberculosis, as established by the designated hospital Board of Trustees. For the purpose of operating clinics for the treatment and control of tuberculosis and to distribute anti-tuberculosis drugs, the State Committee of Public Health is authorized to expend such sums as may be available after the authorized payment for the care and treatment of the indigent tuberculosis patient in a designated regional hospital from any appropriation made from the State Treasury to the State Committee of Public Health for the care or treatment of tuberculosis."

Section 2. That Title 22, Section 199(1), Code of Alabama 1958 Recompiled, Cumulative Supplement 1971, Use of beds for other medical or hospital purposes, reads as follows:

"Section 199(1). Use of beds for other medical or hospital purposes. Any county or district tuberculosis sanatorium or other facility receiving a state subsidy in respect to the treatment of patients with tuberculosis under the provisions of Title 22, Section 199, Code of Alabama 1940, as the same is or may be amended, may use beds in such sanatorium or such other facility and receive patients for other medical purposes, or for a hospital as defined in Title 22, Section 204(42), Code of Alabama Recompiled 1958, as the same is or may be amended, provided that such beds are not needed for the treatment of tuberculosis and provided such facility must first comply with the definition of the type of medical facility it is to be used for and obtain an appropriate license as required by Act No. 530, Acts 1949, page 835 [Title 22, Sections 204(42) to 204(54)], as the same is now or may be amended. (1971, No. 8194, appvd. Sept. 20, 1971.)"

Section 3. All laws or parts of laws in conflict with any of the provisions above are specifically repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act becomes effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Reid (R)
Adams	Drake	Kinsey	Reynolds
Barkett	Easters	Lutz	Robertson
Barron	Edwards	McBride	St. John
Benton	Ellis	McCluskey	Slate
Boles	Erdreich	McCorquodale	Smith (K)
Boutwell	Falkenburg	McDonald	Smith (P)
Bowers	Fite	McMillan	Snell
Brassell	Flippo	Manley	Stewart
Burgess	Gafford	Mathews	Stokes
Callahan	Goodwin	May	Stubbs
Carnes	Grainger	Meeks	Taylor
Carter	Gray (F)	Merrill	Therrell
Casey	Grey (D)	Mims	Timmons
Cauthen	Hale	Naramore	Turner
Chesnut	Hardin	Nettles	Turnham
Connell	Harris	O'Daniel	Waldrop
Coshatt	Hearn	Owens	Wallace
Cottingham	Hill	Parker	Williams
Crawford	Hobbie	Perloff	Wise
Cross	Hughes	Porter	Wood
Culver	Jackson	Pruitt	Wynot
Dill	Jones (F)	Reed (T)	

—91

And the bill, S. 273 as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hearn
Adams	Casey	Ellis	Hill
Adwell	Cauthen	Erdreich	Hughes
Barkett	Chesnut	Falkenburg	Jackson
Barron	Connell	Fite	Jones (F)
Bassett	Coshatt	Flippo	King
Benton	Cottingham	Gafford	Kinsey
Boles	Crawford	Goodwin	Lutz
Boutwell	Cross	Grainger	McBride
Bowers	Culver	Gray (F)	McCluskey
Brassell	Dill	Grey (D)	McCorquodale
Burgess	Downing	Hale	McDonald
Callahan	Drake	Hardin	McMillan
Carnes	Easters	Harris	Manley

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Mathews	Parker	Smith (K)	Turnham
May	Perloff	Smith (P)	Waldrop
Meeks	Porter	Stewart	Wallace
Merrill	Reed (T)	Stokes	Warren
Mims	Reid (R)	Stubbs	Williams
Naramore	Reynolds	Taylor	Wise
Nettles	Robertson	Therrell	Wood
O'Daniel	St. John	Timmons	Wynot
Owens	Slate	Turner	

—91

SPECIAL ORDER RESUMED

And the bill:

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Porter
Adams	Downing	King	Pruitt
Adwell	Drake	Kinsey	Reid (R)
Barkett	Easters	Lutz	Reynolds
Barron	Edwards	McBride	Roberts
Benton	Ellis	McCorquodale	Robertson
Boles	Erdreich	McDonald	St. John
Bowers	Falkenburg	McMillan	Slate
Brassell	Fite	McNair	Smith (K)
Burgess	Gafford	Manley	Stokes
Callahan	Goodwin	May	Taylor
Carnes	Grainger	Meeks	Therrell
Carter	Gray (F)	Merrill	Timmons
Casey	Grey (D)	Mims	Turner
Chesnut	Hale	Naramore	Turnham
Connell	Hardin	Nettles	Wallace
Coshatt	Harris	O'Daniel	Warren
Cottingham	Hearn	Owens	Williams
Crawford	Hughes	Parker	Wise
Cross	Jackson	Perloff	Wynot

—80

And the bill:

H. 825. Relating to the payment of certification fees by nurses and teachers, allowing such fees to be paid by personal check.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Barron	Boles	Brassell
Adams	Bassett	Boutwell	Burgess
Adwell	Benton	Bowers	Callahan

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Carnes	Gafford	McMillan	Robertson
Carter	Goodwin	McNair	St. John
Casey	Grainger	Manley	Slate
Cauthen	Gray (F)	May	Smith (K)
Chesnut	Grey (D)	Meeks	Smith (P)
Connell	Hardin	Merrill	Stewart
Coshatt	Harris	Mims	Stokes
Cottingham	Hearn	Naramore	Stubbs
Cross	Hill	Nettles	Taylor
Dill	Hobbie	O'Daniel	Therrell
Downing	Hughes	Owens	Timmons
Drake	Jackson	Parker	Turner
Easters	King	Perloff	Turnham
Edwards	Kinsey	Porter	Waldrop
Ellis	Lutz	Pruitt	Wallace
Erdreich	McBride	Reed (T)	Warren
Falkenburg	McCluskey	Reid (R)	Williams
Fite	McCorquodale	Reynolds	Wise
Flippo	McDonald	Roberts	Wynot

—88

And the bill:

H. 1059. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Drake	King	Reynolds
Adams	Easters	Kinsey	Roberts
Adwell	Edwards	Lutz	Robertson
Barkett	Ellis	McCorquodale	St. John
Barron	Erdreich	McDonald	Smith (K)
Benton	Falkenburg	McMillan	Smith (P)
Boles	Fite	McNair	Stewart
Boutwell	Goodwin	Manley	Stokes
Bowers	Grainger	May	Stubbs
Brassell	Gray (F)	Meeks	Taylor
Burgess	Grey (D)	Merrill	Therrell
Callahan	Hale	Naramore	Timmons
Carnes	Hardin	Nettles	Turnham
Carter	Harris	O'Daniel	Waldrop
Casey	Headley	Owens	Wallace
Chesnut	Hearn	Parker	Warren
Connell	Hobbie	Perloff	Williams
Coshatt	Hughes	Porter	Wise
Cottingham	Jackson	Reed (T)	Wood
Cross	Jones (F)	Reid (R)	Wynot
Downing			

—81

Nay: Mr. Dill.

—1

And the bill:

H. 1060. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for payment

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of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 6.

Yeas:

Mr. Speaker	Drake	Jones (F)	Reynolds
Adams	Easters	King	Roberts
Adwell	Edwards	Kinsey	Robertson
Barkett	Ellis	Lutz	St. John
Barron	Erdreich	McCluskey	Smith (K)
Bassett	Falkenburg	McCorquodale	Smith (P)
Benton	Fite	McDonald	Stewart
Boles	Flippo	McMillan	Stokes
Boutwell	Goodwin	Manley	Stubbs
Bowers	Grainger	May	Taylor
Brassell	Gray (F)	Meeks	Therrell
Burgess	Grey (D)	Merrill	Timmons
Callahan	Hale	Mims	Turner
Carnes	Hardin	Naramore	Turnham
Carter	Harris	Nettles	Waldrop
Casey	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Cross	Hughes	Reed (T)	Wood
Culver	Jackson	Reid (R)	Wynot
Downing			—85

Nays:

Messrs.:	Connell	Dill	McBride
Cauthen	Crawford	Gafford	—6

And the bill:

H. 1131. To amend Sections 16 and 26 of Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of carcasses, parts thereof, meat and meat food products of such animals, etc.; amend Section 16 of said Act No. 1049 which relates to exemptions from the provisions of said Act by rules and regulations, and amend Section 26 of said Act No. 1049 which relates to enforcement of said Act by injunctive proceedings.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Brassell
Adwell	Barron	Boles	Burgess

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Callahan	Fite	McCorquodale	Robertson
Carnes	Gafford	McDonald	St. John
Carter	Goodwin	McMillan	Slate
Casey	Grainger	McNair	Smith (K)
Chesnut	Gray (F)	Manley	Smith (P)
Collins	Grey (D)	May	Stewart
Connell	Hale	Meeks	Stokes
Coshatt	Hardin	Merrill	Stubbs
Cottingham	Harris	Mims	Taylor
Crawford	Headley	Naramore	Therrell
Cross	Hearn	Nettles	Timmons
Culver	Hobbie	O'Daniel	Turner
Dill	Hughes	Owens	Turnham
Downing	Jackson	Perloff	Waldrop
Drake	Jones (F)	Porter	Wallace
Easters	King	Pruitt	Williams
Edwards	Kinsey	Reed (T)	Wise
Ellis	Lutz	Reid (R)	Wood
Erdreich	McBride	Reynolds	Wynot
Falkenburg	McCluskey	Roberts	

—91

And the bill:

H. 1134. To designate the Spotted Bass as the official fresh water fish of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Reid (R)
Adams	Downing	Jones (F)	Reynolds
Adwell	Drake	King	Roberts
Barkett	Easters	Kinsey	Robertson
Barron	Edwards	Lutz	St. John
Bassett	Ellis	McBride	Slate
Benton	Erdreich	McCluskey	Smith (K)
Boles	Falkenburg	McCorquodale	Smith (P)
Boutwell	Fite	McDonald	Stewart
Brassell	Flippo	McMillan	Stokes
Burgess	Gafford	Manley	Stubbs
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Meeks	Timmons
Carter	Gray (F)	Merrill	Turner
Casey	Grey (D)	Mims	Turnham
Chesnut	Hale	Naramore	Waggoner
Collins	Hardin	Nettles	Waldrop
Connell	Harris	O'Daniel	Wallace
Coshatt	Headley	Owens	Williams
Cottingham	Hearn	Perloff	Wise
Crawford	Hill	Porter	Wood
Cross	Hobbie	Pruitt	Wynot
Culver	Hughes		

—90

And the bill:

H. 1133. To further amend Section 8 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the Advisory Board of Conservation and Natural Resources; providing that two additional members be add-

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ed to the Advisory Board of Conservation; providing that the semi-annual regular meetings of said Board be held at times designated by chairman of Board or the Commissioner of Conservation and Natural Resources; eliminating requirement that meetings of Board be held in offices of the Department of Conservation and Natural Resources; and eliminating the prohibition on more than two special meetings of Board per year.

Was taken up.

Mr. Carter offered the following amendment to the bill:

In the second sentence of H. B. 1133 delete the word "ten" and insert in lieu thereof the word twelve.

In the fifth sentence of H. B. 1133 after the phrase "for four years" delete the word "two" and insert in lieu thereof the word four.

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Bank	Downing	Lutz	St. John
Barkett	Drake	McBride	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Brassell	Gafford	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Casey	Grey (D)	Mims	Turnham
Chesnut	Hale	Naramore	Waggoner
Collins	Harris	Nettles	Waldrop
Connell	Headley	O'Daniel	Wallace
Coshatt	Hearn	Owens	Williams
Cottingham	Hobbie	Perloff	Wise
Crawford	Hughes	Porter	Wood
Cross	Jackson	Reynolds	

—79

And the bill, H. 1133, as thus amended, was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Flippo
Adams	Carnes	Dill	Gafford
Bank	Carter	Downing	Grainger
Barkett	Casey	Drake	Gray (F)
Barron	Chesnut	Easters	Grey (D)
Bassett	Collins	Edwards	Hale
Benton	Coshatt	Ellis	Hardin
Boles	Cottingham	Erdreich	Harris
Boutwell	Crawford	Falkenburg	Headley
Brassell	Cross	Fite	Hearn

Hill	Manley	Reid (R)	Therrell
Hobbie	May	Roberts	Timmons
Hughes	Meeks	Robertson	Turner
Jackson	Merrill	St. John	Turnham
King	Mims	Slate	Waggoner
Kinsey	Naramore	Smith (K)	Waldrop
Lutz	Nettles	Smith (P)	Wallace
McBride	O'Daniel	Snell	Warren
McCluskey	Owens	Stewart	Williams
McCorquodale	Perloff	Stokes	Wise
McDonald	Porter	Stubbs	Wood
McMillan	Pruitt	Taylor	Wynot
McNair			

—89

And the bill:

H. 1165. To amend Act 1515, Acts of Alabama, 1971 Regular Session, p. 2629, pertaining to the issuance of annual resident state and county hunting licenses so as to clarify when a hunting license is not required, and by adding thereto as Section 3 thereof the penalty for hunting without the required license.

Was taken up.

Mr. Smith (K) offered the following amendment to the bill:

In the synopsis delete the word "and" in the 5th line thereof and insert in lieu thereof the word or.

In Section 1 on the 1st line on page 2 delete the word "and" which appears as the second word of said line and insert in lieu thereof the word or.

In Section 1 on the 3rd line on page 2 delete the word "and" and insert in lieu thereof the word or.

AMENDMENT TABLED

On motion of Mr. Wise, the amendment offered by Mr. Smith (K) to the bill, H. 1165, was tabled.

Yeas 23; Nays 14.

Yeas:

Messrs.:	Connell	King	Stubbs
Barkett	Easters	Kinsey	Taylor
Barron	Fite	Lutz	Wallace
Bassett	Grainger	McCorquodale	Wise
Cauthen	Headley	Owens	Wood
Collins	Jackson	Slate	Wynot

—23

Nays:

Messrs.:	Dill	Grey (D)	May
Burgess	Downing	Hale	Robertson
Carnes	Edwards	McNair	Smith (K)
Coshatt	Erdreich	Manley	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1165, was read a third time at length and passed, and ordered sent to the Senate without engrossment.

Yeas 64; Nays 4.

Yeas:

Mr. Speaker	Easters	Jackson	Roberts
Bank	Edwards	King	Robertson
Barkett	Ellis	Kinsey	St. John
Barron	Falkenburg	Lutz	Smith (K)
Bassett	Fite	McBride	Stokes
Boles	Flippo	McCluskey	Stubbs
Boutwell	Gafford	McCorquodale	Taylor
Brassell	Goodwin	McDonald	Timmons
Callahan	Grainger	May	Turner
Carnes	Grey (D)	Naramore	Turnham
Chesnut	Hale	Nettles	Waggoner
Collins	Hardin	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Crawford	Hearn	Porter	Wise
Downing	Hill	Reid (R)	Wood
Drake	Hughes	Reynolds	Wynot

—64

Nays:

Messrs.:	McNair	Slate	Williams
Benton			

—4

And the bill:

H. 1125. To rename the State Bureau of Publicity and Information; and to transfer duties and functions now performed by the State Bureau of Publicity and Information.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Flippo
Adams	Callahan	Crowe	Gafford
Adwell	Carnes	Culver	Goodwin
Bank	Carter	Dill	Grainger
Barkett	Casey	Downing	Grey (D)
Barron	Chesnut	Drake	Hale
Bassett	Collins	Easters	Hardin
Benton	Connell	Edwards	Headley
Boles	Coshatt	Ellis	Hearn
Boutwell	Cottingham	Falkenburg	Hill
Brassell	Crawford	Fite	Hughes

King	Merrill	Reynolds	Taylor
Kinsey	Mims	Roberts	Timmons
Lutz	Naramore	Robertson	Turner
McBride	Nettles	St. John	Turnham
McCluskey	O'Daniel	Slate	Waggoner
McCorquodale	Owens	Smith (K)	Waldrop
McDonald	Parker	Smith (P)	Wallace
McMillan	Perloff	Snell	Warren
McNair	Porter	Stewart	Williams
Manley	Pruitt	Stokes	Wood
May	Reid (R)	Stubbs	Wynot
Meeks			

—89

And the bill:

H. 950. To provide for the incarceration in another state of any law enforcement officer within the state of Alabama who is sentenced to prison in Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Downing	Kinsey	Roberts
Bank	Drake	Lutz	Robertson
Barkett	Easters	McBride	St. John
Barron	Edwards	McCluskey	Slate
Bassett	Ellis	McCorquodale	Smith (K)
Benton	Erdreich	McDonald	Smith (P)
Boles	Falkenburg	McMillan	Snell
Boutwell	Fite	McNair	Stewart
Bowers	Flippo	Manley	Stokes
Brassell	Gafford	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hale	Nettles	Waldrop
Cauthen	Hardin	Owens	Wallace
Chesnut	Headley	Parker	Warren
Collins	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—91

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations,

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facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; and to provide penalties and residency requirements for officers and employees of authorities, commissions, chambers, and committees.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

H. 1164. To amend Act No. 2309, Acts of Alabama, 1971 Regular Session, p. 3731, pertaining to hunting deer from public waters in this state, or at night, so as to provide for the confiscation and forfeiture of all equipment used in committing said offenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 4.

Yeas:

Mr. Speaker	Casey	Erdreich	Hobbie
Adams	Cauthen	Falkenburg	Hughes
Bank	Chesnut	Flippo	Jackson
Barron	Collins	Goodwin	King
Bassett	Connell	Grainger	Kinsey
Benton	Coshatt	Gray (F)	Lutz
Boutwell	Cottingham	Grey (D)	McBride
Bowers	Crawford	Hale	McCluskey
Brassell	Cross	Hardin	McCorquodale
Burgess	Culver	Harris	McDonald
Callahan	Dill	Headley	McNair
Carnes	Drake	Hearn	Manley
Carter	Edwards	Hill	May

Mims	Reed (T)	Smith (P)	Waggoner
Naramore	Reid (R)	Snell	Waldrop
Nettles	Reynolds	Stokes	Wallace
Owens	Roberts	Taylor	Warren
Parker	Robertson	Timmons	Wise
Porter	St. John	Turner	Wynot
Pruitt	Smith (K)	Turnham	

—79

Nays:

Messrs.:	Downing	Gafford	Slate
Adwell			

—4

And the bill:

H. 1163. To amend Act No. 1980, Acts of Alabama, 1971 Regular Session, p. 3222, pertaining to annual resident fishing licenses so as to remove the sentence referring to borrowing, lending or altering said licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 1.

Yeas:

Mr. Speaker	Culver	King	Pruitt
Adwell	Dill	Kinsey	Reid (R)
Bank	Downing	Lutz	Reynolds
Barkett	Drake	McBride	Roberts
Barron	Edwards	McCluskey	Robertson
Bassett	Ellis	McCorquodale	St. John
Benton	Erdreich	McDonald	Slate
Boles	Falkenburg	McMillan	Smith (K)
Boutwell	Fite	McNair	Smith (P)
Bowers	Flippo	Manley	Snell
Brassell	Gafford	Mathews	Stokes
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Grey (D)	Merrill	Turner
Carter	Hale	Mims	Turnham
Casey	Hardin	Naramore	Waggoner
Cauthen	Headley	Nettles	Waldrop
Chesnut	Hearn	O'Daniel	Wallace
Collins	Hill	Owens	Warren
Connell	Hobbie	Parker	Williams
Cottingham	Hughes	Perloff	Wise
Crawford	Jackson	Porter	Wynot
Cross			

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Nay: Mr. Stewart.

—1

And the bill:

H. 1161. To amend Title 8, Section 91, Code of Alabama 1940, as amended, pertaining to licenses required to capture and kill fur-bearing animals, so as to eliminate the exemption from the license-purchase requirements previously granted anyone trapping beaver only; to reduce the residency period from six months to ninety days; and to provide an exemption where beavers are a nuisance.

REGULAR SESSION
24th Day

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Culver	Lutz	Reynolds
Adams	Dill	McBride	Roberts
Bank	Drake	McCluskey	Robertson
Barkett	Edwards	McCorquodale	St. John
Barron	Erdreich	McDonald	Slate
Bassett	Falkenburg	McMillan	Smith (K)
Benton	Fite	Manley	Smith (P)
Boles	Goodwin	Mathews	Snell
Boutwell	Grainger	May	Stokes
Bowers	Gray (F)	Meeks	Taylor
Brassell	Grey (D)	Mims	Timmons
Callahan	Hale	Naramore	Turner
Carnes	Hardin	Nettles	Turnham
Carter	Headley	O'Daniel	Waggoner
Casey	Hobbie	Owens	Waldrop
Chesnut	Hughes	Parker	Wallace
Collins	Jackson	Perloff	Warren
Connell	Jones (F)	Porter	Williams
Cottingham	King	Pruitt	Wise
Crawford	Kinsey	Reid (R)	Wynot
Cross			—81

Nay: Mr. Downing. —1

And the bill:

H. 1130. To amend Section 87 of Title 8, Code of Alabama 1940, as amended, pertaining to the penalty for hunting during closed seasons.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hearn	Naramore
Adams	Cottingham	Hobbie	Nettles
Adwell	Crawford	Hughes	O'Daniel
Bank	Cross	Jackson	Owens
Barkett	Culver	Jones (F)	Parker
Barron	Dill	King	Perloff
Bassett	Downing	Kinsey	Porter
Benton	Drake	Lutz	Pruitt
Boles	Edwards	McBride	Reid (R)
Boutwell	Erdreich	McCluskey	Reynolds
Brassell	Goodwin	McDonald	Roberts
Callahan	Grainger	McMillan	Robertson
Carnes	Gray (F)	McNair	St. John
Carter	Grey (D)	Manley	Slate
Chesnut	Hale	May	Smith (K)
Collins	Hardin	Meeks	Smith (P)
Connell	Headley	Mims	Snell

Stokes
Taylor
Timmons

Turner
Turnham
Waggoner

Waldrop
Wallace
Warren

Williams
Wise
Wynot

—80

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Carnes, Waldrop and Wynot:

H. J. R. 166. To name the new Coosa River Bridge to be built on Highway 77 at Southside, Alabama after State Senator Richard Malone.

WHEREAS, Senator Richard Malone has served his county, senatorial district, and state in many civic and public endeavors; and

WHEREAS, Senator Malone, as a member of the Alabama Senate, has sponsored and acquired both public and legislative support to provide for the building of a new Coosa River Bridge at Southside, Alabama for the enjoyment, convenience and betterment of the people of Etowah County; and

WHEREAS, the new Coosa River Bridge to be located in Senator Malone's home county of Etowah will provide great convenience and utility to the citizens of that county and the entire state; and

WHEREAS, it is fitting and appropriate, and desired by his fellow citizens of Etowah County, that some commemoration of Senator Malone's dedication and effort be made a part of the new Highway 77 Coosa River Bridge as a lasting reminder of his untiring work in bringing about the creation of that bridge;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the new Coosa River Bridge to be located on Highway 77 in Southside, Alabama, Etowah County, is hereby designated The Richard Malone Bridge, in honor of Senator Richard Malone;

BE IT FURTHER RESOLVED, that the Director of the State Highway Department is hereby authorized and directed to erect appropriate signs and markers along the above described bridge displaying the name hereby established.

And the resolution, H. J. R. 166, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 167. COMMENDING MRS. JUANITA LEDBETTER UPON BEING NAMED PRESIDENT OF THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL.

WHEREAS Mrs. Juanita Ledbetter of Talladega has recently been named president of the Alabama Association of School Office Personnel, which association has a membership of over 500, involving office personnel in public schools, junior colleges and trade schools; and

WHEREAS Mrs. Ledbetter has been bookkeeper for the Talladega County Board of Education since May 1964 where she answers an infinite variety of questions in addition to currently handling annual funds in excess of four million dollars, checking invoices and figuring mileages, special taxes, bond issues, beer tax and state revenue in disbursements to Talladega and Sylacauga city schools in accordance with state and federal regulations, all of which she does in a most efficient, gracious and friendly manner; and

WHEREAS prior to joining the central office staff of the Talladega County Board of Education, Mrs. Ledbetter had worked in the area of payroll and bookkeeping and since that time has been involved for a number of years in the work that time has been involved for a number of years in the work of the Association for which she has served as a board member for District V for five years, and as second vice president and first vice president, as well as on various committees; and

WHEREAS Mrs. Ledbetter is a modest, but most attractive and trim wife, mother and grandmother, who is a distinct asset to any office she adorns; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mrs. Ledbetter upon her elevation to the presidency of the Alabama Association of School Office Personnel and extend to her all best wishes for a happy and successful term of office.

RESOLVED FURTHER, that copies of this resolution be sent to Mrs. Ledbetter and to the Talladega County Board of Education.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 167, on the Clerk's desk for one legislative day.

Also:

By Messrs. Taylor, Barron, Jones (F), Hobbie, Harris and Edwards:

H. J. R. 168. MOURNING THE DEATH OF MR. WILLIAM A. OLDACRE

WHEREAS, Mr. William A. Oldacre of Montgomery and Autauga Counties departed this life unexpectedly as a result of a tragic accident on July 21, 1973; and

WHEREAS, after compiling an outstanding record as a student at the University of Alabama School of Law where he was president of the 1958 graduating class, he entered the practice of law in Montgomery, was a highly respected and outstanding member of the Montgomery Bar and the Alabama State Bar and at the time of his death was a partner in the law firm of Hill, Hill, Stovall, Carter and Franco; and

WHEREAS, Mr. Oldacre is survived by his wife, Mrs. Sue Oldacre and four children, William, Jr., Leah, Suzanne and Leslie; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of this excellent man and offer our sincere sympathy and condolences to Mrs. Oldacre and her family to whom copies of this resolution shall be sent.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 168, on the Clerk's desk for one legislative day.

Also:

By Messrs. Taylor, Barron, Jones (F), Hobbie and Harris:

H. J. R. 169. COMMENDING MR. BART STARR

WHEREAS, Bart Starr, our native son of Montgomery, has proven to be one of the great amateur and professional athletes of our time; and

WHEREAS, he has brought great credit on Montgomery and our state by his talent and ability, but to an even greater degree by his demonstrated intelligence, courage and character; and,

WHEREAS, his private life and conduct reflects the highest standards, serving as an example to our youth of the advantages of discipline and virtue; and

WHEREAS, he has decided to retire as an active player in professional football; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Bart Starr be commended on the completion of a great career as a player, and we extend our warm good wishes for every success in his future life.

BE IT FURTHER RESOLVED That copies of this resolution be furnished to Mr. Bart Starr and to his father Mr. Ben Starr of Montgomery.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 169, on the Clerk's desk for one legislative day.

Also:

By Messrs. Taylor, Barron, Jones (F), Hobbie and Harris:

H. J. R. 170. COMMENDING JOHN T. "TOMMY" KIRK

WHEREAS John T. "Tommy" Kirk of Montgomery covered the sessions of the Alabama House of Representatives for the Alabama Educational Television Network, during the 1971 regular session; and

WHEREAS Mr. Kirk performed skillfully and well, providing the people of this state with a fair, honest and undistorted view of the proceedings and activities of the House of Representatives, through direct coverage and interviews with many members of this body; and

WHEREAS, he has proven his proficiency in the field of law by successfully passing the State Bar examinations, and has entered into the private practice of law in Montgomery, Alabama, in association with our colleague Sam Taylor; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That John T. "Tommy" Kirk be commended and congratulated for completing said examinations and we extend to him every good wish for his continued success as a practicing attorney.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 170, on the Clerk's desk for one legislative day.

Also:

By Messrs. Bank, Parker, Robertson and Culver:

H. J. R. 171. COMMENDING LEWIS E. McCRAY FOR HIS AMERICAN LEGION AND OTHER CIVIC ACTIVITIES, AND WISHING HIM THE BEST OF LUCK TOWARD HIS ELECTION AS NATIONAL COMMANDER OF THE AMERICAN LEGION.

WHEREAS, Lewis E. McCray of Tuscaloosa was born in Moundville, Alabama, and educated in the public schools of Moundville and at the University of Alabama; and

WHEREAS, Lewis E. McCray served in the United States Army in World War II and was stationed on Luzon in the Philippine Islands and was discharged with the rank of Technical Sergeant; and

WHEREAS, Lewis E. McCray's American Legion activities within the Department of Alabama have included Past Commander, Walter E. Bare Post 43, Birmingham; Past Commander, Moundville Post 174, Moundville; Past Commander, Farley W. Moody Post 34, Tuscaloosa; Fifth District Commander, 1951-1952; Central Area Commander, 1954-55; Department Senior Vice Commander, 1955-56; Department Commander, 1956-57; Chairman, Boys State Commission since 1957; Director, Boys State since 1969; Chairman, Rehabilitation Commission, Department of Alabama, 1959-60; Member Department Convention Commission since 1967; and

WHEREAS, Lewis E. McCray's national American Legion activities have included Member, National Pilgrimage Committee touring World War I European battlefields; Vice-Chairman Legislative Commission, 1957-60; Member, Publications Commission, 1960-63; Member Civil Defense Committee, 1963-69; National Vice Commander, 1968-69; Member, Americanism Commission since 1969; and

WHEREAS, Lewis E. McCray presently serves as Executive Director of the West Alabama Planning and Development Council, a position he has held since 1967, and formerly was Executive Assistant to the Honorable Armistead I. Selden, Member of Congress and an Instructor at Shelton Technical Institute (Tuscaloosa) in the Business Education Department; and

WHEREAS, Lewis E. McCray is married to the former Allene Lovell of Birmingham and they have two children, Mike and Anita; and

WHEREAS, Lewis E. McCray's church, civic and fraternal affiliations include: Member and Deacon, First Baptist Church, Tuscaloosa; Member, Masons, Rising Virtue Lodge Number 4, Tuscaloosa; Member, Tuscaloosa Rotary Club; Member, Greater Tuscaloosa Area Chamber of Commerce; Past President Tuscaloosa County Tuberculosis Society; Past President, Tuscaloosa Society of Crippled Children and Adults; Member, Tuscaloosa County Preservation Society; Member, Tuscaloosa City Beautification Board; Member, Tuscaloosa City Preservation Authority; Member, Board of Veterans Affairs, State of Alabama, 1957-61; Member USS Alabama Battleship Commission since 1963. He is further a member of the American Society of Planning Officials and the American Society of Public Administrators; and

WHEREAS, Lewis E. McCray is currently seeking the post of National Commander of the American Legion, a position for which he is eminently qualified; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends Lewis E. McCray for his American Legion and other civic activities, and does wish him the best of luck toward his election as National Commander of the American Legion.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Lewis E. McCray in Tuscaloosa.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 171, on the Clerk's desk for one legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 1133. To further amend Section 8 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the Advisory Board of Conservation and Natural Resources; providing that two additional members be added to the Advisory Board of Conservation; providing that the semi-annual regular meetings of said Board be held at times designated by chairman of Board or the Commissioner of Conservation and Natural Resources; eliminating requirement that meetings of Board be held in offices of the Department of Conservation and Natural Resources; and eliminating the prohibition on more than two special meetings of Board per year.

TOM DRAKE,
Chairman.

H. 953 RE-REFERRED

On motion of Mr. Bowers to re-refer, the Speaker re-referred the bill, H. 953, to the Standing Committee on Ways and Means.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1273. To amend Section 257, subsection (d) of Section 262, Sections 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301, paragraphs (2) (4) and (5) of Section 309, Sections 31, and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of

Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, providing immunity under certain circumstances from suits to co-employees, to workmen's compensation insurance carriers of employers and to persons or companies making certain safety inspections, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal year beginning October 1, 1974, and ending September 30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940, as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

Was taken up.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:45 P.M. on July 31, 1973.

H. 524

JOHN W. PEMBERTON,
Clerk.

MOTION IN WRITING

Mr. Gafford filed the following Motion in Writing:

Having voted with the prevailing side on the substitute for House Bill 1295 on the last legislative day, I move that the vote by which said bill failed to pass, be now reconsidered.

ADJOURNMENT

On motion of Mr. Slate, the House adjourned until 12:00 o'clock noon,
Thursday, August 2, 1973.

Yeas 53; Nays 24.

Yeas:

Mr. Speaker	Dill	Kinsey	St. John
Adams	Downing	Lutz	Slate
Bank	Drake	McCorquodale	Smith (K)
Barkett	Easters	McDonald	Stewart
Benton	Edwards	Mathews	Stokes
Boles	Fite	May	Stubbs
Carter	Goodwin	Naramore	Taylor
Cauthen	Grainger	O'Daniel	Therrell
Connell	Grey (D)	Owens	Waggoner
Coshatt	Harris	Perloff	Wallace
Crawford	Headley	Reed (T)	Williams
Cross	Hughes	Reid (R)	Wise
Crowe	Jackson	Reynolds	Wood
Culver			

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Nays:

Messrs.:	Doss	McCluskey	Robertson
Adwell	Ellis	McMillan	Smith (P)
Barron	Erdreich	McNair	Timmons
Burgess	Hale	Nettles	Turner
Carnes	King	Parker	Waldrop
Chesnut	McBride	Pruitt	Warren
Cottingham			

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TWENTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 1, 1973

The House did not meet today.

TWENTY-SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 2, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Pastor,
Forest Avenue Methodist Church, Montgomery, Alabama.

REGULAR SESSION
26th Day

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ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stewart
Boutwell	Falkenburg	McNair	Stokes
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Porter	Wise
Crawford	Hobbie	Pruitt	Wood
Cross	Hughes	Reed (T)	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fourth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fifth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fifth legislative day was approved.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 273. To amend Title 22, Section 199 and 199(1) relating to the system of care for tuberculosis patients.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. on August 1, 1973.

H. 308

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Reed (T):

H. 1749. Relating to counties having a population of not less than 11,500 nor more than 12,500; reverting one-half of all sales taxes collected in such counties under the authority of Section 2 of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) to the county for financing of food stamp programs.

Ways and Means.

By Mr. Downing:

H. 1750. To make an appropriation to the highway department to dredge certain channels.

Ways and Means.

REGULAR SESSION
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By Mr. Hale:

H. 1751. Making an appropriation from the State General Fund for the National Guard Armory at Huntsville.

Ways and Means.

By Mr. Waggoner:

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Local Legislation No. 2.

By Mr. McCorquodale:

H. 1753. To adopt minimum safety and construction standards for student off-campus rental housing for the State of Alabama; to provide for the revision of these codes; to allow local modification of these codes; to authorize and direct local governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes.

State Administration.

By Mr. McCorquodale:

H. 1754. Relating to health facilities at institutions of higher learning; to provide for the publication and distribution of literature by the states' institutions of higher learning concerning health and first aid facilities, and directing the Highway Department to erect directional signs showing the location of such facilities.

Education.

By Mr. McCorquodale:

H. 1755. To amend Title 30, Section 3 Code of Alabama 1940, as last amended, which relates to persons exempt from jury duty so as to remove from the list of persons so exempt railroad engineers, locomotive firemen and conductors.

Constitution and Elections.

By Messrs. Bank, Culver, Robertson and Parker:

H. 1756. To amend Act No. 1154, H. 675 Regular Session 1971 (Acts 1971, p. 1999) relating to abandoned motor vehicles.

Judiciary.

By Mr. Owens:

H. 1757. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the

express purpose of instituting and conducting a program of prelicensing driver education and training.

Education.

By Messrs. Adams, Brassell, Snell and Taylor:

H. 1758. To further provide for supernumerary district attorneys.

Judiciary.

By Mr. Flippo:

H. 1759. Relating to Federal Revenue Sharing Funds; granting authority to the Governor to transfer a portion of such funds to the Special Education Trust Fund.

Ways and Means.

By Messrs. Bank, Parker, Culver, and Robertson:

H. 1760. To amend Act No. 762, H. 633, Regular Session 1967 (Acts 1967, p. 1618), which provides for state civil service regulations to govern employees of Hale Memorial Hospital in Tuscaloosa County, so as to exempt registered nurses employed by the nursing department of said hospital from participating in the state civil service system.

Health.

By Messrs. Hobbie, Harris and Barron:

H. 1761. To establish a state ethics commission and to provide a state ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony.

Judiciary.

By Mr. Mathews:

H. 1762. To further regulate the procedure for keeping a record of certain non-consumable personal property owned by the State.

Ways and Means.

By Mr. Mathews:

H. 1763. To amend further Section 64 of Title 36, Code of Alabama, (1940), as amended, so as to increase the fee for learner's permits to fifty cents.

Ways and Means.

By Mr. Mathews:

H. 1764. To amend further Section 74 of Title 36, Code of Alabama, (1940) as amended, so as to increase the fee for a duplicate driver's license to \$1.50.

Ways and Means.

REGULAR SESSION
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By Mr. Mathews:

H. 1765. To amend Section 708, Title 51, Code of Alabama 1940, by increasing the payment for replacement motor vehicle license plates to three dollars, one dollar to be retained by the license inspector or the probate judge and two dollars to be remitted to the department of revenue.

Ways and Means.

By Mr. Mathews:

H. 1766. To provide for service for writs of garnishment and all notices and orders issued pursuant thereto by the Department of Revenue by agents or employees of the Department of Revenue designated in writing by the Commissioner of Revenue.

Ways and Means.

By Mr. Bank:

H. 1767. To create the position of Manager of Printing and Publications in the Department of Finance, to provide for the functions, duties, and responsibilities of this position, to provide for the employment of a manager and additional employees and their compensation, and to make an appropriation.

Ways and Means.

By Mr. Bank:

H. 1768. To create the Alabama Tourist Bureau as a Division of the Alabama Development Office; to abolish the Bureau of Publicity and Information; to transfer all functions, authority, powers, duties, equipment, records, files, personnel and appropriations from the Bureau of Publicity and Information to the Alabama Tourist Bureau; to provide for the appointment of the Director of Publicity of the Alabama Tourist Bureau and an Assistant Director of Publicity and to prescribe their duties, authority, and compensation; to provide for the appointment and composition of an Advisory Board.

Ways and Means.

By Mr. Bank:

H. 1769. To create the Minerals Resource Management Committee; to provide for its membership, duties and responsibilities.

Ways and Means.

By Mr. Downing:

H. 1770. To require annual audits by licensed certified public accountants or licensed certified public accounting firms of banks and savings and loan associations; to require reports of such audits to be made to the State Superintendent of Banks; to authorize the State Superintendent of Banks to prescribe form and content of such audits and reports; and to prescribe penalties.

Banking.

By Mr. Easters:

H. 1771. To relieve the State of Alabama Personnel Director of the duty of publishing the names and addresses of state employees, as is required by Title 55, Section 299, Code of Alabama 1940, as amended.

Ways and Means.

By Mr. Grainger:

H. 1772. To create the Office of Space Management in the Department of Finance, to prescribe its powers, duties, and responsibilities, to authorize the hiring of a director and staff, and to provide for the compensation of such employees, and to make an appropriation.

Ways and Means.

By Mr. Turner:

H. 1773. To provide that any legislative proposal affecting the Teachers' Retirement System of Alabama or the Employees' Retirement System of Alabama be accompanied by an actuarial estimate of all future contributions required of the State or members of the Retirement Systems.

Ways and Means.

By Mr. Turnham:

H. 1774. To create a Data Systems Management Division within the Finance Department, to provide its powers, duties, and authority, to authorize the employment of a Director of such division and additional employees and to provide for their compensation, to create an Advisory Committee and its composition, and to make an appropriation.

Ways and Means.

By Mr. McCorquodale:

H. 1775. To provide for the purchase of materials, equipment, supplies or other personal property from the United States Government or any of its agencies without receiving competitive bids on such purchases.

Ways and Means.

By Mr. Williams:

H. 1776. To amend Section 22 of Act No. 100, Second Special Session 1959, as amended, so as to authorize the Commissioner of Revenue to require a bond from applicants for a sales tax license for the purpose of securing the payment of any sales tax, penalties or interest due or which may become due under the provisions of said Act No. 100.

Ways and Means.

By Mr. Williams:

H. 1777. To authorize the Commissioner of Revenue to require a surty bond from all taxpayers liable for the payment of use tax, penalties and interest levied by the provisions of Article 11, Sections 787 through 811(4), Title 51, as amended, Code of Alabama 1940, for the purpose of securing the payment of any use tax, penalties or interest due or which may become due

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under the provisions of Article 11, and to provide that any person, firm or corporation who shall fail to file a surety bond after being notified to do so or who shall violate any of the provisions of said Article 11 may be restrained from continuing in business in this state.

Ways and Means.

By Mr. Williams:

H. 1778. To provide for the establishment of an Alabama Crime Information Center; to provide for a statewide crime information system; to provide for the reporting of all arrests and further disposition of persons charged with felonies and certain misdemeanors and violations; to provide for the submission of uniform crime information; to establish an Advisory Council for the Alabama Crime Information Center; to provide for all matters pertaining to the foregoing.

Ways and Means.

By Mr. Williams:

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Local Legislation No. 1.

By Messrs. Boutwell, Bowers, McNair, Falkenburg, Boles, McMillan, Hughes and Doss:

H. 1780. To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

Local Legislation No. 2.

By Messrs. Chesnut, Porter, Adwell, Grey (D), Reid (R), Goodwin, Carter, King, Cross, Coshatt, Hill and Cauthen:

H. 1781. Relating to arrested persons; granting such persons the right to make one completed phone call within one hour after being formally arrested; providing a civil cause of action for violation of the provisions of this act.

Judiciary.

By Mr. Downing:

H. 1782. To prohibit the Alcoholic Beverage Control Board from placing any floor or minimum retail price on alcoholic beverages sold through official A. B. C. stores or outlets.

Ways and Means.

By Messrs. Slate and Cauthen:

H. 1783. To amend further Act No. 819, H. 1283, Regular Session 1965 entitled "An Act to Amend Further Act No. 477, H. 861, Regular Ses-

sion 1955 entitled 'An Act to Provide An Additional Expense Allowance for Circuit Judges of the Eighth Judicial Circuit; and to provide for the Manner of Payment of this Allowance.' "

Local Legislation No. 1.

By Mr. Lang (With Notice and Proof):

H. 1784. To relieve members of the Greene County Commission of the obligation of making payment for certain illegal expenditures of county funds for ambulance services; to appropriate county funds for reimbursements for certain payments heretofore made.

Local Legislation No. 1.

Notice and Proof H. 1784:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To relieve members of the Greene County Commission of the obligation of making payment for certain illegal expenditures of county funds for ambulance services; to appropriate county funds for reimbursements for certain payments heretofore made.

Be It Enacted by the Legislature of Alabama:

Section 1. Whereas the County Commission of Greene County, which is composed of the following persons, namely: William M. Branch, Harry C. Means, Vassie Knott, Levi Morrow and Frenchie Burton has been collectively and individually charged by the Department of Examiners of Accounts with the illegal expenditure of public funds of the county because of their use of such funds in paying ambulance charges in the amount of \$450 to the Gandy Funeral Home and to the Demopolis Police Department in the amount of \$825 for transporting indigent citizens of Greene County who were in need of ambulance services; each above named commissioner has been ordered to pay \$255 to Greene County for his proportionate share of such expenditure. It has been determined and is hereby declared that such expenditures were made in good faith and occurred under such circumstances as to constitute a moral and just obligation of the county, that the above named individuals have no recourse at law, and that they are hereby relieved of the duty to pay the county any amount for such expenditures. It is further declared that if any of the above named commissioners has, prior to the effective date of this act, paid all or any part of his proportionate share of such expenditure, he shall be entitled to reimbursement from public funds of the county for such amount as he has paid.

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Section 2. The Greene County Commission is hereby authorized to pay out of any county funds not otherwise appropriated such amount as may be necessary to reimburse each of the individuals named in Section 1 of this act for any amount paid by them to the county as charged for illegal expenditures for ambulance service. It is specifically provided, however, that in no case shall any one of such persons be entitled to reimbursement of more than \$255.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor & publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7 and 14, all in the year 1973.

RICHARD K. MARTIN.

Sworn to and subscribed before me July 31, 1973.

LAURA D. CHAMBERS,
Notary Public.

My Commission expires 3-24-75.

By Mr. Lang (With Notice and Proof):

H. 1785. To amend Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, vol. I, p. 383), as amended, an act relating to the powers, duties, and compensation of the court of county commissioners of Greene County.

Local Legislation No. 1.

Notice and Proof H. 1785:

LEGAL NOTICES

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, vol. I, p. 383), as amended, an act relating to the powers, duties, and compensation of the court of county commissioners of Greene County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, vol. I, p. 383), as amended, an act relating to the powers, duties and compensation of the chairman and members of the court of county commissioners of Greene County is hereby amended to read as follows:

"Section 5. The Court of County Commissioners of Greene County may employ such number of clerks as may be considered necessary for the transaction of the court's business, and may fix their compensation and provide for the payment thereof from the county treasury; but all questions involving the appointment, tenure, and compensation and provide for the payment thereof from the county.

"Section 5. The Court of County Commissioners of Greene County may employ such number of clerks as may be considered necessary for the transaction of the court's business, and may fix their compensation and provide for the payment thereof from the county treasury; but all questions involving the appointment, tenure, and compensation of clerical personnel of the court shall be decided by a majority vote of the commission members present and voting."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor & publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7 and 14, all in the year 1973.

RICHARD K. MARTIN.

Sworn to and subscribed before me July 31, 1973.

LAURA D. CHAMBERS,
Notary Public.

My Commission expires 3-24-75.

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By Mr. Grey (D):

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Local Legislation No. 1.

By Mr. Grey (D):

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Grey (D):

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

Local Legislation No. 1.

By Mr. Grey (D):

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

Local Legislation No. 1.

By Mr. Grey (D):

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Local Legislation No. 1.

By Mr. Grey (D):

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

Local Legislation No. 1.

By Messrs. Gafford, Doss, Cottingham, Merrill, Collins, Mims, Boles, Turnham, Adwell, Chesnut, Lang, Downing, McCorquodale, Headley, Snell, Smith (P), Wise, Jones (F), Robertson, Jackson, O'Daniel, Porter, Waggoner, Boutwell, McMillan, Erdreich, Bowers, McBride, Stubbs, Hearn, Culver, Carnes, Callahan, Bank, Reid (R), Perloff, Therrell, Barron, Burgess, Hardin, Bassett, Benton, Smith (K), May, Barkett,

Easters, Grey (D), Goodwin, Reynolds, Williams, Carter, King, Naramore, Parker, Crowe, Ellis, Stewart, Pruitt, Casey, Brassell and Reed (T):

H. 1792. To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

State Administration.

By Mr. Merrill:

H. 1793. To amend the title and Sections 12 and 14 of Act No. 1160, S. 895, of the 1969 Regular Session, relating to the revision, codification, digesting and promulgation of the public statutes of this State, so as to designate a continuing committee to read, revise, amend and correct the manuscript of the Code.

Judiciary.

By Mr. Merrill:

H. 1794. Proposing an amendment to the Constitution of Alabama prescribing procedure for legislative reapportionment.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Dill:

H. 1795. To amend the Title and Sections 3, 10, 11, 14 and 16 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature of Alabama, pertaining to municipal parking authorities incorporated in cities having a population of 300,000 or more according to the last or any subsequent federal census, which sections relate to the definitions set forth in said act, the powers of such authorities, the operation or leasing of parking facilities by such authorities, the bonds of such authorities and security therefor, so as to clarify and grant additional powers regarding the issuance of bonds, the security therefor, the leasing and sale of such facilities and other matters and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act as amended, notwithstanding subsequent changes in the population of the city authorizing its incorporation.

Local Legislation No. 2.

By Messrs. Culver, Ellis, Connell, Cross, Wise, Mims, Smith (P), Chesnut, Barkett, King, Doss, Smith (K), Wynot, Parker, Owens, Jackson, Lang, Carter, Slate, Porter, Adams, Downing, Cauthen, Headley, Robertson, Hill, Cottingham, Gray (F) and Weeks:

H. 1796. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

Ways and Means.

By Messrs. Culver and Bank:

H. 1797. To authorize the State Board of Education to require all teachers who teach in the elementary and secondary public schools of this State to take a standardized teacher examination and to promulgate rules and regulations providing that no teacher shall be allowed to teach in any of the schools of this State unless they shall make a minimum score as set by the State Board of Education; to provide further that the State Board of Education may establish a program of incentive pay for teachers who make high scores on said teacher examination.

Education.

By Mr. Carter:

H. 1798. To make a conditional appropriation of \$250,000 to each district health department created pursuant to Title 22, Section 8, Code of Alabama, Recompiled 1958, which health district is composed of three (3) or more counties with a combined population of more than 125,000.

Ways and Means.

By Messrs. Cross and Carter (With Notice and Proof):

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Local Legislation No. 1.

Notice and Proof H. 1799:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage, or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and

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11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 2, 1973.

LeRUTH G. SLATON,
Notary Public.

By Messrs. Hardin and Bassett: (With Notice and Proof):

H. 1800. To authorize any bank in business as of January 1973 in Butler County to establish, operate and maintain branch banks.

Local Legislation No. 1.

Notice and Proof H. 1800:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize any bank in business as of January, 1973, in Butler County, to establish, operate and maintain branch banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, within this state, in business as of January, 1973, in Butler County, shall have the power to establish, operate and maintain within the limits of said county, where the principal place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payments of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

Section 2. The provisions of Code of Alabama, 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county in which this Act applies, and all other laws, general or local, in conflict herewith are also repealed as to such county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BUTLER COUNTY

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, W. E. Hardin who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of July 12, 19, 26 and Aug. 2, 1973.

W. E. HARDIN.

Sworn to and subscribed before me, this 2nd day of August, 1973.

PAULINE B. FULTON,
Notary Public.

By Messrs. Bassett and Hardin:

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Local Legislation No. 1.

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By Messrs. Perloff, Lutz, Wood, Harris and Brassell:

H. 1802. To define collection agencies, to regulate collection agencies, to prescribe the duties thereof, to describe the duties of the Attorney General in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

Judiciary.

By Messrs. Bassett and Hardin:

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Local Legislation No. 1.

By Messrs. McMillan, Lyons, Erdreich, Merrill, Boutwell, Flippo, Lutz, St. John and McNair:

H. 1804. To further amend Section 385, Title 51, Code of Alabama of 1940 as heretofore amended to allow as a deduction in the computation of net income for income tax purposes contributions under pension, profit-sharing and annuity plans for the benefit of self-employed individuals of employees or both.

Judiciary.

By Messrs. McMillan, Lyons, Erdreich, Merrill, Boutwell, Flippo, Lutz, St. John and McNair:

H. 1805. To further Amend Section 392, Title 51, Code of Alabama of 1940 as heretofore amended.

Judiciary.

By Mr. May:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Local Legislation No. 1.

By Messrs. Wise and Jackson (With Notice and Proof):

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Local Legislation No. 1.

Notice and Proof H. 1807:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at its regular session, which began in May, 1973, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Geneva County Inferior Court established pursuant to Act No. 538, H. 1009, Regular Session 1939 (Local Acts 1939, p. 329) shall have, in addition to the jurisdiction now authorized by law, jurisdiction concurrently with the circuit court of matters, suits and actions of law in amounts of not more than \$2000.00.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 2, 1973.

O. T. SPIVEY,
Notary Public.

By Mr. Reed (T):

H. 1808. Repealing Title 45 Section 243, Alabama Code 1940, and any other law authorizing involuntary sterilization; prohibiting involuntary sterilization in the future.

Public Welfare.

By Messrs. Wise and Jackson (With Notice and Proof):

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

Local Legislation No. 1.

Notice and Proof H. 1809:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at its regular session, which began in May, 1973, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 286, H. 960, Regular Session 1962 (Acts 1969, Regular Session, p. 764) is hereby amended to read as follows:

"Section 1. The Judge of the Inferior Court of Geneva County shall receive a salary of not more than \$15,000.00, per annum, to be determined before each term of said Judge begins by resolution of the Geneva County Commission or other governing body of said county, payable in equal monthly installments out of the general fund of the county upon the warrant of the probate judge. Such warrant shall be a preferred claim against the general fund."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent judge of the Geneva County Inferior Court.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 2, 1973.

O. T. SPIVEY,
Notary Public.

By Messrs. Boles and Hughes:

H. 1810. To prescribe the conditions under which the hunting of raccoon and opossum at night shall be allowed; to provide that no state agency or department shall make any rule or regulation in conflict with this act.

Conservation.

By Mr. Collins:

H. 1811. To fix the compensation or salary of the Clerk of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Local Legislation No. 3.

By Mr. Collins:

H. 1812. To fix the compensation or salary and allowance of the register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Local Legislation No. 3.

By Mr. Collins:

H. 1813. Further amending Section 12 of Act No. 674, H. 484, Regular Session 1961 (Acts 1961, p. 925) as amended, providing for the taxing of motor fuel, so as to express the intent that only such fuel as is used within this state shall be subject to the tax.

Commerce and Transportation.

By Messrs. King, Hearn, Lutz, Grainger and Hale:

H. 1814. Relating to taxation, exempting Hope, Inc. of Huntsville, Alabama, a non-profit corporation organized and existing under the laws of the State of Alabama, and its departments and agencies from the levy of the state sales and use taxes.

Ways and Means.

By Mr. Weeks:

H. 1815. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

State Administration.

By Messrs. Falkenburg, McMillan, Bank, McBride, Waggoner and McNair:

H. 1816. To amend Act No. 2420 of the 1971 Regular Session approved October 1, 1971 which provides for and regulates the appointment of counsel for indigent defendants at the expense of the State in certain cases, so

as to provide for counsel in certain additional cases, to regulate further the fees and compensation of counsel appointed hereunder and to provide further for annual appropriations to carry out the purposes of the Act.

Ways and Means.

By Messrs. Hale, Lutz, Hearn, King and Grainger (With Notice and Proof):

H. 1817. To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

Local Legislation No. 4.

Notice and Proof H. 1817:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Creation of office. There is hereby created in Madison County, Alabama, the office of warrant magistrate.

Section 2. Appointment; tenure of office. The Madison County Commission or other like governing body of said county shall appoint, by resolution of the said governing body a warrant magistrate for said county.

Section 3. Qualifications. No person shall be appointed a warrant magistrate unless he be over the age of twenty-five years, of good moral character and have a high school education or its equivalent.

Section 4. Appointment of assistants. The warrant magistrate shall have authority, subject to the approval of the county governing body, to appoint assistant warrant magistrates. Assistant warrant magistrates shall meet the same qualifications as the magistrate. Assistant warrant magistrates may be appointed on a part-time basis.

Section 5. Duties. The duties of the warrant magistrate or any duly authorized assistant warrant magistrate shall be as follows:

a. To take evidence and oaths in support of affidavits in criminal cases and to issue warrants of arrest thereon;

b. To take evidence and affidavits in support of search warrants and to issue warrants in the manner prescribed by law at Title 15, Section 199, et seq, Code of Alabama 1940, as last amended;

c. To set bonds for appearance in any criminal case;

d. To approve appearance bonds in any criminal case;

e. To otherwise exercise the full power and authority of a judicial officer and magistrate in and about the initiation of criminal charges and such magistrate shall have the full judicial immunity concerning any act performed in good faith in his official capacity.

The powers and authority of the warrant magistrate or assistant warrant magistrates are supplemental and in addition to the powers and authorities of duly elected or appointed judges of Madison County, Alabama.

Section 6. Compensation. The salary of the warrant magistrate or any assistant warrant magistrate shall be fixed by the personnel board of said county, and shall be payable in monthly installments out of the General Fund of the county by warrant properly drawn on said fund.

Section 7. Office Space. Suitable office space and all stationery, equipment, supplies and postage necessary for the conduct of the office so created by this Act shall be furnished by the governing body of the county.

Section 8. Clerks and assistants. With the approval of the county governing body, the warrant magistrate may appoint a sufficient number of clerks, including a chief clerk, and assistants, so that the duties of the office of warrant magistrate can be properly performed. The compensation of those persons appointed under this section shall be fixed by the county governing body in accordance with the pay plan promulgated by the county governing body and the county personnel board and shall be paid out of the General Fund of the county in the same manner as the salaries of other county employees shall be paid.

Section 9. All persons appointed or employed pursuant to the provisions of this Act, including but not limited to the warrant magistrate and assistant warrant magistrates, shall be subject to the provisions of Act No. 1392, H. 2307, 1971 Regular Session, as last amended, which created a countywide personnel system.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville

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Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 4, 11, 18, and 25, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 25th day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Grainger, King, Hale, Lutz and Hearn:

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

Local Legislation No. 4.

By Messrs. Hearn, King, Grainger, Hale and Lutz:

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

Local Legislation No. 4.

By Messrs. King, Grainger, Lutz, Hale and Hearn:

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

Local Legislation No. 4.

By Messrs. Hale, Hearn, Lutz, King and Grainger:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

Local Legislation No. 4.

By Messrs. Hale, Hearn, King, Lutz and Grainger:

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

Local Legislation No. 4.

By Mr. Hale:

H. 1823. To provide for casting of absentee ballots in primary, general special and municipal elections; to define who is eligible to cast such ballots; to provide for application for, casting, counting and preserving of such ballots; to provide for compensation of officials charged with duties in connec-

tion therewith; to prescribe penalties for violation of the article; and to repeal all laws relating to the casting of absentee ballots including Act No. 424, 1949, Regular Session, page 601; Act No. 655, 1959, Regular Session, page 1585; Act No. 77, Extra Session, 1961, page 1954; Act No. 74, Extra Session, 1961, page 2134; Act No. 183, First Extra Session, 1964, page 250; Act No. 795, Regular Session, 1965, page 1494; Act No. 54, First Extra Session, 1965, page 72; Act No. 117, Second Extra Session, 1965, page 159; Act No. 176, Extra Session, 1967, page 255, which acts include all those sections now in Article 4A, Title 17, Code of Alabama, 1940, as amended.

Constitution and Elections.

By Messrs. McBride, Bowers, Meeks, Erdreich, Boutwell, Weeks, Dill, Wallace and McMillan:

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

Local Legislation No. 2.

By Messrs. McBride, Meeks, Dill, Wallace and McMillan:

H. 1825. To provide additional methods of annexing territory to any city of the State having a population of 300,000 or more inhabitants according to the last or any subsequent federal census.

Local Legislation No. 2.

By Mr. Coshatt (With Notice and Proof):

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate

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limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1826:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Ashville in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Ashville, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said town, all territory now within such corporate limits, and also other territory within St. Clair County, Alabama, described as follows: The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, all of Section 7, Township 14 South, Range 4 East; and the SE $\frac{1}{4}$ of Section 12, Township 14 South, Range 3 East. All the above described lands situated in St. Clair County, Alabama, and being contiguous and adjacent to the present boundary lines of the said Town of Ashville, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Book-keeper of the St. Clair Observer a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 30, 1973.

ANNE T. MILAM,
Notary Public.

By Messrs. McNair, McMillan, Doss, Waggoner, Erdreich, Wallace, Falkenburg, Boutwell, Hughes, Boles, Bowers, McBride, Weeks and Dill:

H. 1827. To authorize any county in Alabama having a population of 600,000 or more according to the most recent federal decennial census and

any incorporated municipality situated therein to cooperate with other governmental subdivisions, public agencies, public corporations and authorities in the construction of new residential water mains and pipes of an approved public water supply system and the extension of presently existing approved public water supply system mains and pipes to all areas of such county not presently served by an approved public water supply system; to authorize the costs of construction and installation of said mains and pipes, together with the costs of any improvements made thereon, or any portion of said costs, to be assessed against the property abutting on the streets, avenues, alleys, highways, or other public places so improved or served by said mains or pipes to the extent of the increase in value of such property by reason of the special benefits derived from such mains or pipes and from their construction, extension or improvement by the county or incorporated municipality; and, as other means of financing such construction, extension or improvement, to authorize the issuance of revenue bonds and the payment of monies out of general and special funds of such county or municipality and out of funds received from the State of Alabama and from the United States Government; and to provide low cost loans to affected property owners.

Local Legislation No. 2.

By Messrs. McNair, McMillan, Doss, Waggoner, Erdreich, Wallace, Falkenburg, Boutwell, Hughes, Boles, Bowers, McBride, Weeks, Dill and Meeks:

H. 1828. To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial census, the occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipes or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Local Legislation No. 2.

By Messrs. Slate, Perloff, Doss, Robertson and St. John:

H. 1829. Pursuant to constitutional amendment CCCXVII ratified on January 27, 1972, this bill creates the Judicial Retirement Fund, and provides for the administration and supervision thereof; provides for the qualifications for retirement benefits for certain judicial officers; provides for the payment and provides for appropriations to carry out the provisions of the Act.

Ways and Means.

By Messrs. Cauthen, Culver, Bank, Parker, Flippo, Kinsey, Jackson, Chesnut and Boutwell:

H. 1830. To provide for a sentence of death or life imprisonment without parole in certain aggravated offenses; to prescribe the manner of charging and sentencing in such cases and to eliminate lesser included offenses in such cases; to limit the maximum punishment in all other cases to life imprisonment; to provide for an effective date of this act.

Public Welfare.

By Messrs. Jones (F), Harris, Barron and Hobbie:

H. 1831. To exempt the Montgomery Fellowship Houses, Inc. from the payment of all state, county and municipal sales and use taxes.

Ways and Means.

By Mr. Stokes (With Notice and Proof):

H. 1832. To amend Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), which provides for the composition of the Supervisory Committee of the Mobile County Personnel Board, so as to further provide for such composition.

Local Legislation No. 3.

Notice and Proof H. 1832:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), which provides for the County Personnel Board, so as to further provide for such composition.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), is amended to read as follows:

"Section 2. The Supervisory Committee of the Mobile County Personnel Board shall be composed of each of the three commissions of the City of Mobile, the Mayor of the City of Prichard, and the President of the Mobile County Commission who shall serve on such committee during the term of their respective offices. Such committee shall also include: One member to be elected by the city commissioners of the City of Mobile who shall hold office for a term of two years beginning on the date this Act becomes effective and until his successor is appointed and has qualified, and his successors shall hold office for terms of six years, the first of which shall begin two years after the passage of this Act and the subsequent terms shall begin each six years thereafter; one member to be elected by the municipalities in Mobile County outside the city limits of the City of Mobile who shall hold office for a term of four years beginning on the date this Act becomes effective and until his successor is appointed and has qualified, and his successors shall hold office for terms of six years, the first of which shall begin four years after the passage of this Act and the subsequent terms shall begin each six years thereafter; and one circuit judge of the thirteenth judicial circuit to be elected by the circuit judges of the thirteenth judicial circuit who shall hold office for a term of six years beginning on the date this Act becomes effective in said county

and until his successor has been appointed and has qualified, and his successors shall hold office for terms of six years, the first of which shall begin six years after the passage of this Act and the subsequent term shall begin each six years thereafter. Provided, however, that such member elected from among the circuit judges of the thirteenth judicial circuit shall serve on such committee only so long as he is serving as a circuit judge of the thirteenth judicial circuit.

"Any vacancy occurring on such committee among any of the members elected by the commissioners of the City of Mobile, the municipalities in Mobile County outside the city limits of the City of Mobile, the merit system employees' association of Mobile County, or the circuit judges of the thirteenth judicial circuit shall be filled by an election held by the respective electing body with the authority to elect the member of the board where such vacancy has occurred; such election to be held within 30 days after the occurrence of such vacancy."

Section 2. Each body authorized to elect a member of such committee shall, within 30 days after the effective date of this Act, cause an election to be conducted to elect such committee member.

Section 3. The committee created under the provisions of this act shall take office 30 days after the effective date of this act.

Section 4. All laws and parts of laws in conflict with the provisions of this Act shall be and the same are hereby repealed.

Section 5. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register June 22, 29, July 6, and 13, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 16th day of July 1973.

E. E. KOCH,
Notary Public.

By Messrs. Stokes, Downing, Wood, Callahan, Nettles, Roberts and Perloff:

H. 1833. To amend the title and Section 2 of Act No. 2453, Acts of Alabama, Regular Session 1971 (1971 Acts, Vol. V, p. 3920), which relates to certain counties classified on a population basis, so as to exempt certain municipalities and governmental agencies and their employees from its provisions.

Local Legislation No. 3.

By Mr. Cauthen:

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 accord-

ing to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Local Legislation No. 1.

By Messrs. McBride, Doss, Waggoner and Boutwell:

H. 1835. Relating to taxation, exempting Positive Maturity of Birmingham, Alabama, a non-profit corporation organized and existing under the laws of the State of Alabama, and its departments and agencies from the levy of the state sales and use taxes.

Ways and Means.

By Messrs. Wise and Jackson (With Notice and Proof):

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Local Legislation No. 1.

Notice and Proof H. 1836:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at its regular session, which began in May, 1973, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the County Solicitor (Deputy District Attorney) of Geneva County is fixed at not more than \$3600.00, per annum, to be determined by resolution of Geneva County Commission or other governing body of said county. The salary shall be paid in equal monthly installments out of the general funds of Geneva County by the Geneva County Commission or other governing body of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 2, 1973.

O. T. SPIVEY,
Notary Public.

By Mr. Hobbie:

H. 1837. To amend Sections 8, 10, 14, 18, 20, 21, 22, and 24 of Act No. 576, Acts of Alabama 1959, page 1442, volume 2, as amended, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation and Natural Resources Department of this State; the enforcement of this act, duties of the commissioner of the State Department of Conservation and Natural Resources; fee schedule for vessel registration; terms of certificates and registration; established of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment;

requiring records to be kept by boat liveryes; requiring accident reports to be filed with Conservation and Natural Resources Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Commissioner of Conservation and Natural Resources with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation and Natural Resources for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation and Natural Resources; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Conservation.

By Mr. Casey (By Request):

H. 1838. To provide for the selection of a presiding judge in circuits composed of one county and having two circuit judges.

Local Legislation No. 1.

By Mr. Casey:

H. 1839. Relating to circuit courts; authorizing the employment of confidential assistants to provide secretarial and other services for circuit judges in the state; prescribing the method of appointment, duties and compensation of said confidential assistants; providing for the purchase of equipment, etc.; and appropriating funds from the state treasury for such compensation and purchases of equipment.

Ways and Means.

By Messrs. Carnes, McDonald and King:

H. 1840. Providing for the regulation and licensing of garbage and refuse collection by the Public Service Commission.

Commerce and Transportation.

By Mr. Casey:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Crowe:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

Local Legislation No. 1.

By Messrs. Carnes, Wynot and Waldrop:

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

Local Legislation No. 1.

By Messrs. McCorquodale and Agee:

H. 1844. Requiring persons traveling in boats with a motor or motors in excess of five horsepower on certain portions of the Alabama and Tombigbee Rivers to wear life jackets while the motor is in operation; instructing the Department of Conservation and Natural Resources to post notices and formulate penalties for the violation of this Act.

Conservation.

By Messrs. Carnes, Wynot and Waldrop:

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

Local Legislation No. 1.

By Messrs. Coshatt and Reid (R):

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Local Legislation No. 1.

By Messrs. Boutwell, Doss, Weeks, Adwell, Erdreich, Gafford, Ellis, McMillan, Timmons and Bowers (With Notice and Proof):

H. 1847. To amend Section 17 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1847:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law", which will amend, in the respect below stated, Sec-

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tion 17 of Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

Section 17 provides that any amendment payable by the retirement system to a retired member shall be reduced by the amount if any, paid to the beneficiary for the same month by the County on account of or by reason of employment of such beneficiary during such month by the County. The amendment will insert in said Section 17 a provision to the effect that one who has been retired under some other pension law of the State of Alabama on a pension, and who has been accorded a supernumerary status under such other pension law, the money paid a person in a supernumerary status shall not be considered in applying Section 17.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Boutwell, Doss, Weeks, Adwell, Erdreich, Gafford, Ellis, McMillan, Timmons and Bowers (With Notice and Proof):

H. 1848. To amend Section 13 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1848:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law", which will amend, in the respect below stated, Section 13 of Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

The proposed law would insert in Section 13 the following provision:

If any member of the system prior to retirement for supernumeration hereunder has become, or shall become, subject to any other law of Alabama providing for a retirement system, he shall be paid upon application therefor

the full amount of his deposits and contributions less one-half any disability benefits paid to him hereunder. He shall not receive any interest for the period during which his deposits and contributions remain in the pension fund.

After such application has been filed then no further deductions shall be made from the applicant's salary for payment into the pension fund; and the County shall be relieved of making any further payments to the pension fund on the applicant's account. Upon such application being filed the system shall be relieved of any obligation to pay to the applicant any retirement benefit hereunder, or any disability benefit hereunder, except disability benefits accruing before such application was filed. The amount contributed by the County to match the applicant's deposits and contributions shall remain in the pension fund.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Doss, Meeks, Gafford, Adwell, Weeks, Erdreich, Falkenburg, McMillan, Wallace, Timmons, Ellis, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1849. To provide that the governing body of any county of the state having a population of 500,000 or more according to the last or any subsequent federal census shall be authorized to accord persons who are members of the Pension System established for officers and employees of the county the option to convert all, or any part of, their unpaid membership time to paid membership time; provided, however, that such power shall be subject to the conditions and limitations prescribed in the Act.

Local Legislation No. 2.

By Messrs. Doss, Meeks, Adwell, Gafford, Weeks, Erdreich, Falkenburg, McMillan, Wallace, Timmons, Ellis, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride (With Notice and Proof):

H. 1850. To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, (Ala. Acts, 1965, page 717 et

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seq.), as heretofore amended, establishing a Pension System for officers and employees of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1850:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law", amending the following provisions of subsection (b) of Section 10 of Act No. 497 of the Regular Session of the Legislature of 1965:

"(1) One and three-fourths percent ($1\frac{3}{4}\%$) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years; plus

"(2) One percent (1%) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years; plus

"(3) One-half of one percent ($\frac{1}{2}$ of 1%) of his basic average salary multiplied by the number of years of his unpaid membership time."

The proposed law would amend the above quoted provisions of said subsection (b) to read as follows:

"(1) Two percent (2%) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years; plus

"(2) One and one-fourth percent ($1\frac{1}{4}\%$) of his basic average salary multiplied by the number of years of his paid membership time in excess of thirty (30) years; plus

"(3) Three-fourths of one percent ($\frac{3}{4}$ of 1%) of his basic average salary multiplied by the number of years of his unpaid membership time.

"The maximum benefit payable under this subsection (b) of Section 10 shall not exceed sixty-five percent (65%) of the member's basic average salary."

Under the proposed law the increase in benefits will apply to those retiring before or after adoption of such law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that

there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973, application will be made for a law, herein called "the proposed law", which will amend, in the respect below stated, Section 10 of Act No. 497 of the Regular Session of 1965.

The proposed law will insert the two provisions below summarized under the captions "AMENDMENT I" and "AMENDMENT II":

AMENDMENT I

Amendment I will provide for a vested interest in the System of the employees contributions and the county matching contributions after 15 years paid service of an employee. The pension benefits to be calculated at the normal retirement date provided and the formula stated in the law.

AMENDMENT II

Amendment II will provide for a deferred pension after a member has accumulated 20 years with the county, at least 10 years of which shall be paid membership time, payment to begin at age 55, without any future payments to the retirement fund following his retirement.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Hughes, Boles, Wallace, Bowers, Meeks, Waggoner, McBride, Ellis, Gafford and Doss:

H. 1851. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy

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District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Local Legislation No. 2.

By Messrs. Boles, Gafford, Hughes and Doss:

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Local Legislation No. 2.

By Messrs. Doss, Meeks, Adwell, Gafford, Weeks, Erdreich, Falkenburg, Wallace, McMillan, Ellis, Timmons, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1853. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579), as heretofore amended, which Act established in and for every city of the state having a population of two hundred and fifty thousand or more according to the last or any succeeding federal census a pension and relief system for officers and employees of such city and their widows and children.

Local Legislation No. 2.

By Messrs. Meeks, Adwell, Gafford, Doss, Weeks, Erdreich, Falkenburg, Wallace, McMillan, Ellis, Timmons, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1854. To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the governing body of the city of Birmingham shall have the power to supplement the pension or benefit payable from, or out of, a pension system established for city personnel provided that such supplement is based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

Local Legislation No. 2.

By Messrs. Meeks, Adwell, Doss, Weeks, Gafford, Erdreich, Falkenburg, McMillan, Wallace, Ellis, Timmons, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride (With Notice and Proof):

H. 1855. To amend sub-section (a) of Section 12 of Act No. 497 of the Regular Session of the Legislature of Alabama 1965 (Ala. Acts, 1965, page 717 et seq.), establishing a pension system for officers and employees of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1855:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law", which will amend, in the respect below stated subsection (a) of Section 12 of Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

The proposed law would make these two changes, designated as Change 1 and Change 2 to said subsection (a).

Change 1. This change relates to the first sentence in said subsection (a), which requires ten (10) years' paid membership time as a condition to a member being entitled to a benefit for a nonservice connected disability. In that sentence this charge would substitute five (5) years for ten (10) years.

Change 2. Presently subsection (b) does not provide for any minimum non-service connected disability. Change 2 would provide that the minimum non-service connected disability shall be thirty percent (30%) of the salary the disabled employee was receiving when the disability occurred.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Meeks, Gafford, Adwell, Doss, Weeks, Erdreich, Falkenburg, McMillan, Wallace, Timmons, Ellis, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride (With Notice and Proof):

H. 1856. To amend Section 4 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, page 717), establishing a pension system for officers and employees of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1856:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for adoption of a law, herein called "the proposed law", which will amend in the respect below stated Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

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Act No. 497 established a pension system for officers and employees of Jefferson County, Alabama. The proposed law will amend Act No. 497, so as to accord persons now members of the system the option to convert all, or any part of, their unpaid membership time, subject to the conditions and limitations stated in the proposed law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Williams:

H. 1857. To amend Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750) which establishes a secretary for the Deputy District Attorney of all counties having a population of not less than 38,100 nor more than 40,500, in order to further regulate the salary of said secretary.

Local Legislation No. 1.

By Mr. Wood:

H. 1858. To change the name of the "Director" of the Department of Labor to the "Commissioner" of the Department of Labor.

State Administration.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Local Legislation No. 1.

Notice and Proof H. 1859:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The governing body of incorporated municipalities in Perry County, the governing body of any public hospital in Perry County, and the Perry County Commission or other like governing body of the county, may jointly or severally, establish within the county, or within any town or city in the county, an ambulance service for the benefit of the sick, infirm or injured, and may make all needful rules and regulations for control and management of such service. The above named governing bodies may jointly or severally enter into any agreement or contract with any individuals or company to provide such service, and may appropriate public funds for such purpose.

SECTION 2. The provisions of this Act are cumulative.

SECTION 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

SECTION 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

ALBERT STEWART.

Sworn to and subscribed before me July 16, 1973.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

By Mr. Crowe:

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

Local Legislation No. 1.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1369. Disqualifying any judge, district attorney, or solicitor who is indicted for a felony from performing the duties of his office; authorizing the Supreme Court of Alabama to appoint a temporary replacement.

S. 169. To re-divide the state into judicial circuits so as to create a Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

S. 131. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

H. 1675. To amend further Act No. 78, S. 72 of the Special Session of 1961, which regulates the teaching and practice of cosmetology, so as to change the number of hours required for beauty school students, providing that students in beauty schools may work in beauty shops under certain conditions, changing the time a managing cosmetologist is required to work from 2 years to 1 year, changing the limitation on the number of days of compensation payable to members of the cosmetology board, facilitating appeal of decisions of the board without the necessity of trial de novo, repealing section of law exempting Jefferson County and providing for a board member from Jefferson County.

H. 1652. To create an additional circuit judgeship for the Twenty-eighth Judicial Circuit of Alabama; to provide for the term, compensation, powers, duties, and authority of such judge; to designate the primary function of such judge and the judge heretofore provided for such circuit; to designate the presiding judge of such circuit.

H. 1682. To transfer the historic property known as the Powder Magazine owned by the Finance Department of the State of Alabama to the City of Montgomery.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1208. (With Amendments): To provide that the chief clerk of the probate court of each county shall have, in addition to his regular duties and with no additional compensation, the duty of working under the registrar as "deputy registrar" of the county for the purpose of enabling any person to register to vote in his county at any time the county is regularly open for business.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

H. 1630. Relating to taxation; to amend Title 51, Section 2(1)(m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

H. 1631. Relating to taxation, to provide for an exemption from ad valorem taxation of personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage the development of this state as a distribution center; to provide for certain warehouse or storage facility records with regard to such property; and to repeal inconsistent laws.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1143. To further amend Act No. 685, S. 364, Regular Session 1965, (Acts 1965, p. 1246), so as to further define the procedure concerning the organization of Water Management Districts.

H. 1702. To amend Sections 10, 12, 15, 21 and 23 of Act No. 351, H. 285, Regular Session 1963 (Acts 1963, p. 844) to provide an alternate method of collecting assessments for the promotion of the production, marketing and use of eggs and poultry products.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 396. (With Substitute): To amend Section 85 of Title 2, Code of Alabama, 1940, as last amended, relating to incorporated marketing associations so as to expressly include persons engaged in fishing activities and the harvesting of aquatic products within its provisions.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1394. To abolish the Fall turkey hunting season and to extend the Spring turkey hunting season in Washington County; to provide punishment for violation of this act.

H. 1404. To transfer certain historic property commonly referred to as "Constitution Park" and located in Huntsville, Madison County, Alabama, owned by the State of Alabama, or any department or entity thereof, to the Alabama Historical Commission.

H. 1594. To further amend Section 8 of Act No. 344, H. 301, 1955 Regular Session of the Alabama Legislature (Acts of 1955, p. 780), as amended, which Act relates to the Fort Morgan Historical Commission, so as to provide further for the expenditure of certain funds received by said commission.

H. 1623. To amend Title 8, Section 60, Code of Alabama 1940, as amended, so as to include the rainbow trout as a designated game fish.

H. 1699. To amend Sections 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to provide for a State Parks Concession Commission; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 342. (With Amendment): To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 107. (With Amendment): To further amend Act No. 533, Acts of Alabama, 1957 Regular Session, page 750, entitled "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund," and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961 Special Session, page 2082, and by Act No. 1051, Acts of Alabama, 1969 Regular Session, page 1965.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 210. To amend Section 3, Act No. 1945, Regular Session of 1971, approved September 20, 1971, establishing the qualifications of the person appointed as County Engineer or Chief Engineer of the Division of Public Roads of the County within the meaning of the Act.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1591. (With Substitute) (With Amendments): To establish a system of regulation and control of surface mining and reclamation, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Reclamation Commission with powers and authority, establishes necessity of licenses and permits with a right to surface mine and proper application therefor, requires a conservation and reclamation plan and map, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for confidentiality of certain records, violations, administrative procedures, appeals from orders of the Commission, legal remedies, enforcement proceedings, non-applicability and penalties, establishes the Alabama Surface Mining and Reclamation Fund, provides for citizens' suits, saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Act 399 Regular Session).

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; providing further for the expense allowances of members of the county commission in such counties.

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the Second Judicial Circuit.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar to-wit:

H. 1681. (With Amendment): Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

H. 1698. To amend Sections 2, 4, 6, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census,

so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

The above bill was read a second time at length as required by the Constitution.

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1714. (With Amendment): To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

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Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

H. 1719. To authorize the establishment of branch banks in Hale County.

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

H. 1734. Relating to Houston County, providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge, requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

S. 179. Relating to counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

S. 259. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

S. 288. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of all deputies employed in the sheriff's department and for the compensation of the chief deputy.

S. 289. To amend Section 1 of Act No. 121, H. 22, Regular Session 1971 (Acts 1971, p. 204), which act fixes the fee for the issuance of pistol permits by the sheriff and for the disposition and use of such fees in certain counties classified on a population basis.

S. 290. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of circuit court bailiffs.

S. 294. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

S. 388. Relating to Choctaw County; providing for the payment to the Judge of Probate or Juvenile Court Judge of Choctaw County for expenses of attending conferences of Judges of Probate or Juvenile Court Judges.

S. 389. Relating to Choctaw County; providing the authority for the Judge of Probate, Choctaw County, Alabama to appoint his deputies or clerks to solemnize matrimony.

S. 476. To regulate further the compensation of the associate members and chairman of the Choctaw County Commission; to repeal conflicting laws and to repeal specifically the following laws and all amendments thereto: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796); and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440); and to provide for the effective date of this act.

S. 477. Relating to Choctaw County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law shall be subject to the recommendation and approval of the probate judge of said county.

S. 478. To provide that the Sheriff of Choctaw County, Alabama, may collect and retain the fees and allowances allowed under law for feeding prisoners.

S. 479. Relating to Choctaw County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1509. (With Substitute): Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 441. To abolish the Inferior Civil Court of Mobile County; to provide for the transfer of cases and causes therein pending to the Court of General Sessions of Mobile County; to repeal conflicting laws and specifically to repeal Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto.

H. 1449. Relating to Mobile County; providing for landowners with no access road to acquire a right of way of forty feet.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 281. (With Substitute) (With Amendment): In all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal Decennial Census to authorize and make provision for the incorporation of airport authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating airports, heliports, airport buildings and facilities, including offices, hangars, and facilities for airlines, and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions, or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by any such Authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such Authority to be organized, application must be made to the governing body of one or more counties, cities or towns in Alabama, and permission for organization of such Authority must be obtained from each such governing body to which application is made; to provide for the selection of the directors and officers of each such Authority; to authorize any existing airport authority organized under the provisions of Act No. 265, 1963 Acts, Page 696, et seq. to amend its corporate charter to comply with the provisions of this Act, and to fix the number and terms of office of the directors of such Authority and to provide for their appointment; to specify the powers of each such Authority; to endow each such Authority with eminent domain and zoning powers; to exempt each such Authority from laws, ordinances and regulations relating to zoning or relating to the advertising and award by the State and its departments of construction or purchase contracts; to provide that any county, city, town, or other political subdivision, public corporation, agency

or instrumentality of this State within this State may aid and cooperate with any such Authority in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to any such Authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought or maintained against any such Authority or any Director thereof for or on account of the negligence of the Authority or Director or of its or his agents, servants or employees; to authorize the issuance by each such Authority of interest bearing revenue bonds payable solely out of the revenues of the Authority issuing such bonds; to specify provisions of such revenue bonds issued by any such Authority and to provide that such revenue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such Authority may be secured by pledge of any of the revenues of the Authority issuing such bonds, whether the Authority's right to such revenues then exists or may thereafter come into existence and by mortgage on any property of any such Authority whether then in existence of thereafter acquired; to provide that such pledge may be provided for in an indenture between the Authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the Judge of Probate of the county in which the principal office of the Authority is located and in any other county in which there is located any property of the Authority, the revenues from which are so pledged; to provide that any such Authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, city or town within the State; to specify the uses to which the proceeds of revenue bonds issued by any such Authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by any such Authority and the income therefrom and the property and income of any said Authority; to authorize the investment of any idle funds of any county, city or town within this State in bonds issued by any such Authority; to provide that bonds issued by any such Authority shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by any Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1741. Amending the title and Section 1 of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) relating to the Board of Health of Mobile County, so as to provide for approval of the county governing body of fees established by the Board of Health.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 892. (With Amendment): To amend Section 3 of Act No. 530, H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter reidentification in all counties in the state having a population of 500,000 or more according to the last or any subsequent federal census.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1381. Further providing for the service of process by constables issued by the courts in Jefferson County, Alabama.

H. 1340. To amend Act No. 798, H. 486 of the Regular Session of 1965, an Act "Regulating costs and charges of courts in Jefferson County; prescribing the fees and commissions of constables, and repealing conflicting laws," so as to provide that constables shall receive the same fees for certain services prescribed for sheriffs performing like services.

H. 1483. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1636. (With Amendment): To further amend Sections 1, 2, 3 and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1659. (With Amendments): Providing further for County Zoning and Planning Commissions in Counties having a population of not less than 600,000 inhabitants according to the most recent federal decennial census.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp. 797, et seq.) as amended, the power and authority to borrow money, to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds.

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or

water line may cause shall be applied to reduce or off-set the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

BILLS ON THIRD READING

And the bill:

H. 80. To regulate further the power and authority of cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Reid (R)
Adams	Downing	Jones (F)	Reynolds
Adwell	Drake	King	St. John
Barkett	Easters	Kinsey	Slate
Barron	Edwards	Lang	Smith (K)
Bassett	Erdreich	Lutz	Smith (P)
Benton	Fite	McBride	Snell
Boles	Flippo	McCorquodale	Stokes
Boutwell	Goodwin	McDonald	Stubbs
Brassell	Grainger	McMillan	Therrell
Carnes	Grey (D)	Mathews	Timmons
Carter	Hale	May	Turnham
Casey	Hardin	Meeks	Waggoner
Chesnut	Hearn	Merrill	Warren
Collins	Hill	Nettles	Weeks
Connell	Hobbie	O'Daniel	Williams
Crawford	Hughes	Porter	Wise
Culver			

—69

And the bill:

H. 1326. (With Amendment): To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1., said Committee amendment being as follows:

Strike Section 1 in its entirety and substitute the following:

"Section 1. That the boundary lines of the City of Prattville, Autauga County, are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Prattville and in addition thereto the following described territory:

"Begin at a point where the East boundary of the present city limits intersects the center of Section 11, Township 17 North, Range 16 East, thence South 11,280 feet, more or less, to a point, this point being common to the Eastern boundary line of the West Half of Section 23, Township 17, Range

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16, and to a line parallel to and 600 feet Southwesterly of the Center line of U. S. Highway 31, (the Southeast Corner of the present city limits), thence in a Southeasterly direction 5700 feet parallel to and 600 feet from the center line of U. S. Highway 31 to a point in Section 25, Township 17 North, Range 16 East, on the North right of way of county road #4, thence Easterly along the North right of way of County Road #4 and the extension of said line thereof to a point on the East line of Fractional Section 25 and being the boundary between Autauga and Elmore Counties, thence North along the boundary between Autauga and Elmore Counties 15,170 feet, more or less, to the mid-section line of Fractional Section 12, Township 17 North, Range 16 East, thence westerly along the East-West mid-section line of Section 12, and Section 11, Township 17 North, Range 16 East, 4,670 feet, more or less, to the point of beginning."

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	Hobbie	Reed (T)
Adams	Downing	Hughes	Reid (R)
Adwell	Drake	Jackson	Reynolds
Bank	Easters	Jones (F)	St. John
Barkett	Edwards	King	Slate
Barron	Ellis	Kinsey	Smith (P)
Bassett	Erdreich	Lang	Snell
Benton	Falkenburg	Lutz	Stokes
Boutwell	Fite	McBride	Stubbs
Bowers	Flippo	McDonald	Therrell
Brassell	Goodwin	McMillan	Timmons
Carnes	Grainger	Mathews	Turnham
Carter	Gray (F)	May	Waggoner
Casey	Grey (D)	Meeks	Waldrop
Cauthen	Hale	Merrill	Wallace
Chesnut	Hardin	Mims	Warren
Collins	Harris	Nettles	Weeks
Connell	Headley	O'Daniel	Williams
Crawford	Hearn	Parker	Wise
Culver	Hill	Porter	Wynot
Dill			

—81

And the bill, H. 1326 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dill	Flippo
Adams	Carnes	Doss	Goodwin
Adwell	Carter	Downing	Grainger
Bank	Casey	Drake	Gray (F)
Barkett	Cauthen	Easters	Grey (D)
Barron	Chesnut	Edwards	Hale
Bassett	Collins	Ellis	Hardin
Benton	Connell	Erdreich	Harris
Boutwell	Crawford	Falkenburg	Headley
Bowers	Culver	Fite	Hearn

Hill	McDonald	Porter	Therrell
Hobbie	McMillan	Reed (T)	Timmons
Hughes	Mathews	Reid (R)	Turnham
Jackson	May	Reynolds	Waggoner
Jones (F)	Meeks	St. John	Waldrop
King	Merrill	Slate	Wallace
Kinsey	Mims	Smith (K)	Warren
Lang	Nettles	Smith (P)	Weeks
Lutz	O'Daniel	Snell	Williams
McBride	Owens	Stokes	Wise
McCorquodale	Parker		

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And the bill:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Was taken up.

Mr. Crowe offered the following amendment to the bill:

Amend House Bill 955 by adding the following to Section 1 at the end of said Section:

All documents recorded in the office of Probate Judge shall be typed, typed double space and on one side of page.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dill	Hill	Reid (R)
Adams	Doss	Hobbie	Reynolds
Adwell	Downing	Hughes	St. John
Bank	Drake	Jackson	Slate
Barkett	Easters	Jones (F)	Smith (K)
Barron	Edwards	King	Smith (P)
Bassett	Ellis	Kinsey	Snell
Benton	Erdreich	Lang	Stokes
Boutwell	Falkenburg	Lutz	Stubbs
Bowers	Fite	McDonald	Therrell
Brassell	Flippo	McMillan	Timmons
Callahan	Goodwin	Mathews	Turnham
Carnes	Grainger	May	Waggoner
Carter	Gray (F)	Merrill	Waldrop
Casey	Grey (D)	Mims	Wallace
Chesnut	Hale	Nettles	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Crawford	Headley	Parker	Wise
Culver	Hearn	Porter	Wynot

—80

And the bill, H. 955 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	Hill	Reynolds
Adams	Dill	Hobbie	Robertson
Bank	Doss	Hughes	St. John
Barkett	Downing	Jackson	Slate
Barron	Drake	Jones (F)	Smith (K)
Bassett	Easters	King	Smith (P)
Benton	Edwards	Kinsey	Snell
Boutwell	Ellis	Lang	Stokes
Bowers	Erdreich	Lutz	Stubbs
Brassell	Falkenburg	McBride	Therrell
Callahan	Fite	McDonald	Timmons
Carnes	Flippo	McMillan	Turnham
Carter	Goodwin	Mathews	Waggoner
Casey	Grainger	May	Waldrop
Cauthen	Gray (F)	Merrill	Wallace
Chesnut	Grey (D)	Mims	Warren
Collins	Hale	Nettles	Weeks
Connell	Hardin	O'Daniel	Williams
Coshatt	Harris	Owens	Wise
Crawford	Headley	Porter	Wynot
Crowe	Hearn	Reid (R)	

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And the bill:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dill	Hill	Pruitt
Adams	Doss	Hobbie	Reid (R)
Adwell	Downing	Hughes	Reynolds
Bank	Drake	Jones (F)	St. John
Barron	Edwards	King	Slate
Bassett	Ellis	Kinsey	Smith (K)
Benton	Erdreich	Lutz	Smith (P)
Boutwell	Falkenburg	McBride	Snell
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	Manley	Stubbs
Callahan	Goodwin	Mathews	Therrell
Carnes	Grainger	May	Timmons
Carter	Gray (F)	Meeks	Turnham
Casey	Grey (D)	Merrill	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Perloff	Weeks
Coshatt	Headley	Porter	Williams
Culver	Hearn		

—74

And the bill:

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 2.

Yeas:

Mr. Speaker	Coshatt	Hearn	Pruitt
Adams	Culver	Hill	Reid (R)
Adwell	Doss	Hughes	Reynolds
Bank	Downing	King	Robertson
Barkett	Drake	Kinsey	Slate
Barron	Easters	Lang	Smith (K)
Bassett	Edwards	Lutz	Smith (P)
Benton	Ellis	McBride	Snell
Boutwell	Erdreich	McMillan	Stokes
Bowers	Falkenburg	Manley	Therrell
Brassell	Fite	Mathews	Timmons
Callahan	Flippo	May	Turnham
Carnes	Goodwin	Meeks	Waggoner
Carter	Grainger	Merrill	Waldrop
Casey	Gray (F)	Nettles	Weeks
Cauthen	Grey (D)	O'Daniel	Williams
Chesnut	Hardin	Porter	Wynot
Collins	Harris		

—70

Nays: Messrs. Dill and Wallace.

—2

And the bill:

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Messrs.:	Bowers	Culver	Fite
Adams	Callahan	Dill	Flippo
Adwell	Carnes	Doss	Goodwin
Bank	Carter	Downing	Grainger
Barkett	Casey	Easters	Gray (F)
Barron	Cauthen	Edwards	Grey (D)
Bassett	Chesnut	Ellis	Hardin
Benton	Collins	Erdreich	Harris
Boutwell	Connell	Falkenburg	Hearn

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Hill	Manley	Reid (R)	Timmons
Hughes	Mathews	Reynolds	Turnham
Jones (F)	May	St. John	Waggoner
King	Meeks	Slate	Waldrop
Kinsey	Merrill	Smith (P)	Wallace
Lang	Nettles	Snell	Weeks
Lutz	O'Daniel	Stokes	Williams
McBride	Porter	Therrell	Wynot
McMillan	Pruitt		

—69

And the bill:

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 7.

Yeas:

Messrs.:	Coshatt	Hill	Pruitt
Adams	Culver	King	Reid (R)
Adwell	Dill	Kinsey	Reynolds
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (P)
Benton	Erdreich	McMillan	Snell
Boutwell	Falkenburg	McNair	Stokes
Brassell	Fite	Manley	Therrell
Callahan	Flippo	Mathews	Timmons
Carnes	Goodwin	May	Turnham
Carter	Grainger	Meeks	Waggoner
Casey	Gray (F)	Merrill	Waldrop
Chesnut	Grey (D)	Nettles	Williams
Collins	Hardin	Porter	Wynot
Connell	Hearn		

—65

Nays:

Messrs.:	Bowers	Ellis	Headley
Boles	Doss	Gafford	Wallace

—7

And the bill:

S. 484. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Barron	Boutwell	Carnes
Adams	Bassett	Bowers	Carter
Bank	Benton	Brassell	Casey
Barkett	Boles	Callahan	Cauthen

Chesnut	Grainger	McMillan	St. John
Collins	Grey (D)	Manley	Slate
Connell	Hale	Mathews	Smith (K)
Cottingham	Hardin	May	Smith (P)
Crawford	Harris	Meeks	Snell
Culver	Headley	Merrill	Stokes
Dill	Hearn	Mims	Stubbs
Downing	Hill	Nettles	Timmons
Drake	Hughes	O'Daniel	Turnham
Easters	Jackson	Owens	Waggoner
Edwards	Jones (F)	Parker	Waldrop
Ellis	King	Porter	Wallace
Erdreich	Kinsey	Pruitt	Weeks
Falkenburg	Lang	Reid (R)	Williams
Fite	Lutz	Reynolds	Wise
Flippo	McDonald	Robertson	Wynot
Goodwin			

—81

And the bill:

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

Was taken up.

Mr. Porter offered the following amendment to the bill:

Amend Section 6 of S. 267 as amended by deleting the following sentence: "It shall be a misdemeanor (a) for the licensing officer, his employee or his agent to knowingly issue a DeKalb County motor vehicle a license for use on a motor vehicle not required by law to be licensed in DeKalb County, Alabama, and (b) for any person to knowingly apply for a DeKalb County, Alabama motor vehicle license for use on a motor vehicle not required by law to be licensed therein, for which the punishment, upon conviction, shall be a fine of not less than one hundred dollars or not more than two hundred and fifty dollars."

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Doss	Hughes	Reid (R)
Adams	Downing	Jackson	Reynolds
Barkett	Drake	Jones (F)	St. John
Barron	Easters	King	Slate
Bassett	Edwards	Lang	Smith (K)
Benton	Ellis	Lutz	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	McMillan	Stubbs
Brassell	Flippo	Manley	Therrell
Callahan	Goodwin	Mathews	Timmons
Carnes	Grainger	May	Turnham
Carter	Gray (F)	Meeks	Waggoner
Cauthen	Grey (D)	Merrill	Waldrop
Collins	Hale	Nettles	Wallace
Connell	Hardin	O'Daniel	Weeks
Coshatt	Harris	Owens	Williams
Cottingham	Headley	Perloff	Wise
Crawford	Hearn	Porter	Wood
Culver	Hill	Pruitt	Wynot
Dill	Hobbie		

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And the bill, S. 267 as thus amended, was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Culver	Hill	Pruitt
Adams	Dill	Hobbie	Reid (R)
Adwell	Doss	Hughes	Reynolds
Barkett	Downing	Jackson	St. John
Barron	Drake	Jones (F)	Slate
Bassett	Easters	King	Smith (K)
Benton	Edwards	Lang	Smith (P)
Boles	Ellis	Lutz	Snell
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	McMillan	Stubbs
Brassell	Fite	Manley	Therrell
Callahan	Flippo	Mathews	Timmons
Carnes	Goodwin	May	Turnham
Carter	Grainger	Meeks	Waggoner
Cauthen	Gray (F)	Merrill	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Weeks
Connell	Hardin	Owens	Williams
Coshatt	Harris	Perloff	Wise
Cottingham	Headley	Porter	Wynot
Crawford	Hearn		

—82

And the bill:

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Was taken up.

H. 1397 POSTPONED

On motion of Mr. Coshatt, the bill, H. 1397, was postponed to the twenty-seventh legislative day.

And the bill:

H. 1537. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal decennial census; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Was taken up.

H. 1537 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 1537, was postponed to the twenty-seventh legislative day.

And the bill:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Was taken up.

H. 1626 POSTPONED

On motion of Mr. Coshatt, the bill, H. 1626, was postponed to the twenty-seventh legislative day.

And the bill:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Reynolds
Adams	Dill	Hughes	Robertson
Adwell	Downing	Jones (F)	St. John
Barkett	Drake	King	Slate
Barron	Easters	Lang	Smith (K)
Bassett	Edwards	Lutz	Smith (P)
Benton	Ellis	McBride	Snell
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	Manley	Therrell
Brassell	Flippo	Mathews	Timmons
Burgess	Goodwin	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Grey (D)	Mims	Waldrop
Chesnut	Hale	O'Daniel	Wallace
Collins	Hardin	Owens	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Headley	Porter	Williams
Cottingham	Hearn	Pruitt	Wynot
Crawford	Hill	Reid (R)	

—83

And the bill:

H. 998. To authorize, provide for, and regulate the introduction in evidence in any court in the state, when the original thereof would be admissible, of certified copies of certain hospital records of any hospital located in Alabama counties of more than 600,000 population, according to the last or any subsequent Federal census, organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining and handling such records, the manner of

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copying such records, the costs and charges therefor and the manner of payment thereof and the probate value of such records.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	Hearn	Pruitt
Adams	Dill	Hill	Reid (R)
Adwell	Doss	Hobbie	Reynolds
Barkett	Downing	Hughes	Robertson
Barron	Drake	Jones (F)	St. John
Bassett	Easters	King	Slate
Benton	Edwards	Lang	Smith (P)
Boles	Ellis	Lutz	Snell
Boutwell	Erdreich	McBride	Stokes
Bowers	Falkenburg	McDonald	Stubbs
Brassell	Fite	McMillan	Therrell
Callahan	Flippo	Manley	Timmons
Carnes	Goodwin	Mathews	Turner
Carter	Grainger	May	Turnham
Chesnut	Gray (F)	Merrill	Waggoner
Collins	Grey (D)	O'Daniel	Waldrop
Connell	Hale	Owens	Wallace
Coshatt	Hardin	Parker	Weeks
Cottingham	Harris	Perloff	Williams
Crawford	Headley	Porter	Wynot

—80

And the bill:

H. 995. (With Substitute): To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent (22%) to seventy-five per cent (75%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent (22%) to fifty per cent (50%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to

the Treasurer or other custodian of funds for the Board of Health of any such county.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama is hereby amended to read as follows:

"Section 11. Application of Proceeds. On or before the twentieth day of each calendar month, commencing with the calendar month next following that during which the Commissioner of Licenses first collects any of the taxes levied hereby, the Commissioner of Licenses shall divide into two equal shares the total proceeds (including any interest and penalties) collected by him during the then preceding calendar month from the license and privilege taxes levied hereby.

The first such one-half shall be applied by the Commissioner of Licenses as follows: (a) he shall pay into the general treasury of the county, for the collection of the taxes levied hereby and for the enforcement and administration of this act, an amount equal to one and one-half percent (1½ %) of the total proceeds so collected, and (b) he shall pay the balance of such one-half share into the Indigent Care Fund.

The second such one-half share shall be applied by the Commissioner of Licenses as follows:

(a) He shall pay \$100,000 of such one-half share to the Authority (or, in the event that such one-half share of the proceeds collected by him during such preceding calendar month is less than \$100,000, he shall pay all of such one-half share to the Authority);

(b) In the event that the total of the amounts paid to the Authority during such calendar month (but out of collections from the then preceding calendar month) from the taxes levied by Acts numbered 524 and 525, both enacted at the 1965 Regular Session of the Legislature of Alabama, aggregates less than \$100,000, he shall also pay to the Authority such amount of such one-half share as, when added to the amounts so paid to the Authority from the taxes levied by said Acts numbered 524 and 525, will equal the sum of \$100,000;

(c) He shall pay to the Treasurer or other custodian of funds for the Board of Health of any such county an amount equal to twenty-two percent (22%) of the total amount of the second such one-half share; and

(d) He shall pay to the Treasurer or other custodian of funds for the Board of Health of any such county an amount equal to twenty-eight per cent (28%) of the total amount of the second such one-half share; provided however, that if

(i) prior to June 15, 1973, the county has issued any bonds, warrants or other securities for the payment of which there have been specially pledged any part of the tax proceeds provided by this paragraph (d) to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county (said tax proceeds being herein called for the purposes of this paragraph (d) "the Paragraph (d) Tax Proceeds"), and

(ii) other tax proceeds and revenues pledged or otherwise available for the payment of said bonds, warrants or other securities are insufficient to pay

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the principal of or the interest on the said bonds, warrants or other securities as the same respectively mature or otherwise to comply with the agreements and covenants made by the county in connection with the issuance of, and for the benefit of the holders of, said bonds, warrants or other securities,

then so much of the Paragraph (d) Tax Proceeds as, when added to other moneys available therefor, shall be necessary to pay said principal or interest and to comply with said agreements and covenants shall be paid into the general treasury of the county and applied for the payment of said principal or interest or in such manner as shall be necessary to comply with said agreements and covenants; and

(e) He shall pay into the general treasury of the county the entire balance of such one-half share.

In the event that the county or the Authority issues any bonds, warrants or other securities for the payment of which any part of the taxes levied in this act are pledged, this act shall be deemed to constitute a contract with the holders of such bonds, warrants or other securities."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the calendar month next succeeding that during which it becomes law.

And the substitute was adopted.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Culver	Hill	Pruitt
Adams	Dill	Hobbie	Reid (R)
Adwell	Doss	Hughes	Reynolds
Barkett	Downing	Jones (F)	Robertson
Barron	Drake	King	St. John
Bassett	Easters	Lang	Slate
Benton	Edwards	Lutz	Smith (P)
Boles	Ellis	McBride	Snell
Bowers	Erdreich	McDonald	Stokes
Brassell	Falkenburg	McMillan	Stubbs
Burgess	Fite	Manley	Therrell
Callahan	Goodwin	Mathews	Timmons
Carnes	Grainger	May	Turner
Carter	Gray (F)	Merrill	Turnham
Chesnut	Grey (D)	Mims	Waggoner
Collins	Hale	O'Daniel	Waldrop
Connell	Hardin	Owens	Weeks
Coshatt	Harris	Perloff	Williams
Cottingham	Headley	Porter	Wynot
Crawford	Hearn		

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Nays: Messrs. Boutwell and Meeks.

—2

And the bill:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent

(22%) to fifty per cent (50%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 6.

Yeas:

Messrs.:	Drake	Hearn	Perloff
Adwell	Easters	Hill	Porter
Barkett	Edwards	Hobbie	Reynolds
Barron	Ellis	Hughes	St. John
Bassett	Erdreich	Jones (F)	Slate
Bowers	Falkenburg	King	Smith (P)
Burgess	Fite	Lutz	Stokes
Callahan	Flippo	McBride	Stubbs
Carnes	Goodwin	McMillan	Therrell
Carter	Grainger	Manley	Timmons
Chesnut	Gray (F)	Mathews	Turnham
Collins	Grey (D)	May	Waggoner
Coshatt	Hale	Merrill	Waldrop
Cottingham	Hardin	Mims	Weeks
Culver	Harris	O'Daniel	Williams
Downing	Headley	Owens	Wynot

—63

Nays:

Messrs.:	Boutwell	Gafford	Wallace
Boles	Dill	Meeks	

—6

And the bill:

H. 1442. (With Substitute): To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$4.50 per person residing in each municipality.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

Be It Enacted by the Legislature of Alabama:

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Section 1. This Act shall apply to every county of the State of Alabama having a population of more than 500,000 according to the last or any subsequent federal census, and to no other county.

Section 2. The following words and phrases and others evidently intended as the equivalent thereof shall, in the absence of clear implication herein otherwise, be given the following respective interpretations herein.

"Board Treasurer" means the treasurer or other official custodian of funds of a County Board of Health.

"County" means any county in the State of Alabama having a population of more than 500,000 according to the last or any subsequent federal census.

"County Board of Health" means the county board of health in a County, as provided for in Section 4 of Title 22 of the Code of Alabama of 1940, as amended, or such public corporation, committee, or organization, or entity as may succeed in the functions of said county board of health pursuant to statutes hereafter enacted by the Legislature of Alabama.

"Tax Collector" means the tax collector of the County or such other person or officer charged with the duty of collecting ad valorem taxes assessed and levied by or on behalf of a municipality in the County.

Section 3. In order further to provide for the financing of county boards of health in counties in the State of Alabama having populations in excess of 500,000, and subject to the provisions of Section 4 hereof, there is hereby appropriated, allocated and otherwise ordered and directed to be set aside and paid over annually to the County Board of Health out of the ad valorem taxes collected by the Tax Collector for the several municipalities located wholly or partially in the County, the following:

(a) For each municipality having a population of more than 5,000 according to the last federal census, an amount equal to not less than \$3.00 times the population of each said municipality according to the last federal census; and

(b) For each municipality having a population of 5,000 or less an amount equal to not less than \$1.50 times the population of each said municipality according to the last federal census.

In the case of any municipality located partially within and partially without the boundaries of the County, the amounts provided herein to be paid over to the County Board of Health shall be calculated on the basis of the number of persons who are residents of that portion of the municipality that is within the boundaries of the County.

Section 4. The amounts required by the provisions of Section 3 hereof to be paid to the County Board of Health shall be paid to the Board Treasurer annually on or before December 31 of each year by the County Tax Collector out of ad valorem tax receipts collected by the County Tax Collector for the respective municipalities in the County; provided however, that the County Tax Collector shall not pay over to the County Board of Health any ad valorem tax receipts the payment of which to the County Board of Health would impair the obligation of contracts entered into by any municipi-

pality prior to July 15, 1973, or any ad valorem tax receipts from levies made for a specific purpose as authorized by the provisions of any section of the Constitution of Alabama 1901 or any amendment thereto.

Section 5. The provisions of this Act are hereby declared to be severable, and should any provision of this Act be held invalid, the invalidity thereof shall not affect the remaining provisions of the Act.

Section 6. All laws and parts of laws, whether general, special or local, in conflict with the provisions of this Act are hereby repealed to the extent of such conflict.

Section 7. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dill	Headley	Perloff
Adams	Doss	Hearn	Porter
Adwell	Downing	Hill	Pruitt
Barkett	Drake	Hobbie	Reed (T)
Barron	Easters	Hughes	Reynolds
Bassett	Edwards	Jackson	St. John
Benton	Ellis	Jones (F)	Slate
Boutwell	Erdreich	King	Smith (P)
Bowers	Falkenburg	Lang	Snell
Brassell	Fite	Lutz	Stubbs
Burgess	Flippo	McBride	Therrell
Callahan	Gafford	McDonald	Timmons
Carnes	Goodwin	McMillan	Turnham
Carter	Grainger	Manley	Waggoner
Cauthen	Gray (F)	Mathews	Waldrop
Chesnut	Grey (D)	May	Weeks
Collins	Hale	Meeks	Williams
Coshatt	Hardin	Merrill	Wise
Cottingham	Harris	Owens	Wynot
Culver			

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And the bill:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 1.

Yeas:

Mr. Speaker	Barron	Boutwell	Burgess
Adams	Bassett	Bowers	Callahan
Barkett	Benton	Brassell	Carnes

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Carter	Flippo	King	St. John
Casey	Goodwin	Lutz	Slate
Chesnut	Grainger	McBride	Snell
Collins	Gray (F)	McDonald	Stokes
Connell	Grey (D)	McMillan	Stubbs
Coshatt	Hale	Manley	Therrell
Cottingham	Hardin	Mathews	Timmons
Culver	Harris	May	Turnham
Dill	Headley	Meeks	Waggoner
Doss	Hearn	Merrill	Waldrop
Downing	Hill	Owens	Wallace
Drake	Hobbie	Perloff	Weeks
Easters	Hughes	Porter	Williams
Falkenburg	Jackson	Reed (T)	Wise
Fite	Jones (F)	Reynolds	Wynot

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Nay: Mr. Erdreich.

—1

H. 1128 RE-REFERRED

On motion of Mr. Wood to re-refer, the Speaker re-referred the bill, H. 1128, from the Standing Committee on Local Legislation No. 2 to the Standing Committee on Local Legislation No. 3.

H. 1039 AND H. 1040 INDEFINITELY POSTPONED

On motion of Mr. Chesnut, the bills, H. 1039 and H. 1040, were indefinitely postponed.

And the bill:

H. 1048. (With Substitute) (With Amendments): Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish an advisory board to aid in the promulgation of such system; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports to be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish an advisory board to aid in the promulgation of such

system; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in all counties having a population of 600,000, or more, according to the last or any subsequent federal decennial census, it is in the interest of the general welfare due to the complexity of governmental organization and population concentration served by governmental units therein to provide reporting accessible to the citizens thereof of the accounts for all county and municipal governmental units in said counties; that the compilation and systematic publication of the accounting of all governmental units in said counties will aid efficiency of governmental operations and will provide access of the citizens thereof to the revenues and expenditures pertaining to their government; that such a system of accounting reporting will safe-guard the public interest; and that the enactment of the provisions of this Act is hereby declared to be a public necessity.

Section 2. In all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census the Judge of Probate thereof shall cause to be published, not later than June 30, 1974, an accounting reporting manual which shall establish a system of accounting reporting to be used by all local units of government within said counties. For purposes of this Act local units of government shall include county, city and town governments, school districts, and all authorities, agencies and boards which function independently of general governments within said counties.

Section 3. The Judge of Probate of said county shall prepare such manual in the format and with the reports prescribed herein and shall cause said report forms to be distributed or made available to the local units of government affected by this Act.

Section 4. Such manual shall include, but not be limited to, a system for reporting categories for both (1) sources of revenue and (2) expenditures by programs, whereby such report can facilitate the preparation of an annual fiscal report from all local units of government within said counties; provided however, the requirements herein shall not prescribe or affect the internal system of auditing or accounting utilized by each local unit of government.

Section 5. For the purposes of this legislation, revenue by sources shall include, but not be limited to, the following categories: (1) intergovernmental transfers (federal, state, county, inter-local), (2) revenue from own sources (local tax revenues, non-tax revenues), (3) utility revenues, (4) insurance and trust fund revenues, (5) liquor stores; expenditures by programs shall include, but not be limited to, the following categories: (1) governmental administration, (2) police protection, (3) fire protection, (4) education, (5) welfare, (6) sanitation, (7) streets, bridges and roads, (8) transportation, (9) debt service, (10) parks and recreation.

Section 6. The forms required to be prepared and filed by the provisions herein shall substantially conform to the following (provided, however, that the Judge of Probate may alter or modify said form as deemed appropriate to require reporting of additional information as set forth in Sections 4 and 5 above):

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COMPARATIVE STATEMENT OF REVENUE BY SOURCE

(Reporting Agency)

	1971-72	1972-73	1973-74
UNITED STATES GOVERNMENT:			
Revenue sharing	\$	\$	\$
Federal grants			
	\$	\$	\$
STATE OF ALABAMA:			
State shared gasoline tax	\$	\$	\$
State liquor store profits			
Financial institutions excise tax			
Automobile license			
Other			
	\$	\$	\$
COUNTY:			
Ad valorem taxes	\$	\$	\$
Licenses			
General sales tax			
Selective sales taxes (gasoline, beer, tobacco, etc.)			
Commissions, fees and permits			
Sewer service charges			
Courts—Criminal, civil and probate			
County Home			
Interest			
Other			
Less-Payments to State of Alabama			
	\$	\$	\$
MUNICIPALITIES:			
Local Taxes —			
Ad valorem	\$	\$	\$
General sales			
Selective sales (gasoline, beer, tobacco, etc.)			
Licenses, fees and permits			
Other			
	\$	\$	\$

Nontax revenue —

Fines and forfeitures
Utilities revenue
Charges for services
Interest
Other

\$	\$	\$
\$	\$	\$

PAYMENTS TO INDEPENDENT
BOARDS AND AGENCIES:

School Board
Health Department
Other

\$	\$	\$
\$	\$	\$

ADMINISTRATIVE:

Salaries and wages
Additions to property and equip-
ment
Other

\$	\$	\$
\$	\$	\$

POLICE:

Salaries and wages
Additions to property and equip-
ment
Other

\$	\$	\$
\$	\$	\$

FIRE PROTECTION:

Salaries and wages
Additions to property and equip-
ment
Other

\$	\$	\$
\$	\$	\$

STREETS AND SANITATION (in-
cluding traffic, landfill, etc.):

Salaries and wages
Additions to property and equip-
ment

\$	\$	\$
----	----	----

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Additions and improvements to
streets and sewers
Other

\$	\$	\$
----	----	----

**CULTURAL AND RECREA-
TIONAL (parks, libraries, etc.):**

Salaries and wages
Additions to property and equip-
ment
Other

\$	\$	\$
\$	\$	\$

EMPLOYEE WELFARE:

Pension and retirement plans
Insurance and payroll taxes

\$	\$	\$
\$	\$	\$

DEBT SERVICE:

Principal
Interest and debt expense

\$	\$	\$
\$	\$	\$

**COURTS—CIVIL, CRIMINAL AND
PROBATE, HEALTH AND WEL-
FARE:**

\$	\$	\$
\$	\$	\$

OTHER:

\$	\$	\$
\$	\$	\$
\$	\$	\$

Section 7. The governing bodies of said counties, all municipalities therein and the various departments, boards, and agencies thereof shall use the system of accounting reporting established under the provisions of this Act beginning at the start of fiscal year 1974-75, and shall thereafter continue to use such system with such revisions as may, pursuant to this Act, from time to time be made.

Section 8. The Judge of Probate of said county, after the initiation of the system of accounting reporting to be established under the provisions of

this Act, shall gather and publish, no less than annually, comparable data from the local units of government of the county. Said publication shall be made available to the elected officials of said county and all citizens thereof.

Section 9. Any auditors, accountants, or examiners required by law to examine the accounts, books or records of any local unit of government within said county, shall include in any report required to be made by such auditor, accountant or examiner a statement of the compliance by such governmental unit with the system of accounting reporting to be established under the provisions of this Act, and shall send a copy of such report in its entirety to the Judge of Probate of said county.

Section 10. Where there is evidence of lack of compliance with the provisions of the accounting reporting system to be established under the provisions of this Act, the Judge of Probate of said county may order compliance with the provisions of this Act, which shall include, but not be limited to, the aid of court to compel the attendance of witnesses and production of papers relating to the audit, accounts, books, or records of the governmental unit which has failed to comply with the provisions of this Act. The District Attorney or Circuit Solicitor shall render to the said Court, without additional compensation, such legal services as he may request in order to enforce the provisions of this Act.

Section 11. Any resident citizen of a local unit of government in which a violation of this Act occurs may file a written sworn petition, stating the ground upon which failure to comply with this Act is based, requesting the Judge of Probate of said county to obtain compliance with this Act.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson	Roberts
Adams	Drake	King	Robertson
Adwell	Easters	Kinsey	St. John
Barkett	Edwards	Lutz	Slate
Barron	Ellis	McBride	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Brassell	Goodwin	Mathews	Therrell
Carnes	Grainger	May	Timmons
Carter	Gray (F)	Meeks	Turnham
Casey	Grey (D)	Merrill	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	O'Daniel	Wallace
Connell	Harris	Owens	Warren
Coshatt	Headley	Parker	Weeks
Cottingham	Hearn	Perloff	Williams
Crawford	Hill	Porter	Wise
Culver	Hobbie	Reed (T)	Wynot
Dill	Hughes	Reynolds	

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The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend substitute for H. B. 1048 by deleting in title thereof the following:

“to establish an advisory board to aid in the promulgation of such system;”

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Hughes	Reynolds
Adams	Drake	Jackson	St. John
Adwell	Easters	King	Smith (K)
Barkett	Edwards	Kinsey	Smith (P)
Barron	Ellis	Lutz	Snell
Benton	Erdreich	McBride	Stokes
Boles	Falkenburg	McDonald	Stubbs
Boutwell	Fite	McMillan	Therrell
Brassell	Goodwin	McNair	Timmons
Callahan	Grainger	Mathews	Turnham
Carnes	Gray (F)	May	Waggoner
Carter	Grey (D)	Meeks	Waldrop
Casey	Hale	Merrill	Wallace
Chesnut	Hardin	Naramore	Warren
Coshatt	Harris	Owens	Weeks
Cottingham	Headley	Perloff	Williams
Crawford	Hearn	Porter	Wise
Culver	Hobbie	Reed (T)	Wynot
Dill			

—73

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend substitute to H-1048, Section 8, by adding thereto the following at the end thereof:

“Said publication shall include (but not be limited to), in addition to the report required by Section 6, a page or pages summarizing by figures or graph, as appropriate, the data provided by the reports submitted pursuant to Section 6.”

And the amendment was adopted.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker	Brassell	Crawford	Ellis
Adams	Carnes	Culver	Erdreich
Barkett	Carter	Dill	Falkenburg
Barron	Casey	Downing	Fite
Bassett	Chesnut	Drake	Goodwin
Benton	Coshatt	Easters	Grainger
Boutwell	Cottingham	Edwards	Gray (F)

Grey (D)	McBride	Porter	Therrell
Hale	McDonald	Reynolds	Timmons
Hardin	McMillan	Robertson	Turnham
Harris	McNair	St. John	Waggoner
Headley	Mathews	Slate	Waldrop
Hearn	May	Smith (K)	Warren
Hobbie	Meeks	Smith (P)	Weeks
Hughes	Merrill	Snell	Williams
Jackson	Naramore	Stokes	Wise
Kinsey	Perloff	Stubbs	Wynot
Lutz			

—69

Nay: Mr. Wallace.

—1

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend the substitute to H-1048 by substituting the words "county treasurer" for the words "Judge of Probate" wherever it appears therein.

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Edwards	Kinsey	Slate
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Bassett	Falkenburg	McMillan	Snell
Benton	Goodwin	McNair	Stokes
Boutwell	Grainger	Manley	Therrell
Callahan	Gray (F)	May	Timmons
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Naramore	Waggoner
Casey	Hardin	Parker	Waldrop
Chesnut	Harris	Perloff	Wallace
Crawford	Hearn	Porter	Warren
Crowe	Hobbie	Reed (T)	Weeks
Culver	Hughes	Reynolds	Williams
Dill	Jackson	Robertson	Wise
Downing	King	St. John	Wynot
Easters			

—65

The question was then on the adoption of the amendment #4 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 10 of the substitute to H-1048 by changing Line 3 to read as follows:

"provisions of this Act, the County Treasurer of the County may petition the circuit court for an order to obtain"

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Barkett	Benton	Burgess
Adams	Barron	Boutwell	Callahan
Bank	Bassett	Brassell	Carnes

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Carter	Goodwin	McBride	Smith (P)
Casey	Grainger	McMillan	Snell
Cauthen	Gray (F)	McNair	Stokes
Chesnut	Grey (D)	Manley	Stubbs
Cottingham	Hale	Mathews	Therrell
Crawford	Hardin	May	Timmons
Crowe	Harris	Merrill	Turnham
Culver	Headley	Naramore	Waggoner
Dill	Hearn	Owens	Waldrop
Downing	Hobbie	Perloff	Wallace
Drake	Hughes	Porter	Warren
Easters	Jackson	Reynolds	Weeks
Edwards	King	Robertson	Williams
Ellis	Kinsey	Slate	Wise
Erdreich	Lutz	Smith (K)	Wynot
Falkenburg			

—73

And the bill:

H. 1048. Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Crawford	Headley	Porter
Adams	Crowe	Hearn	Reed (T)
Adwell	Culver	Hobbie	Reynolds
Bank	Dill	Hughes	Robertson
Barkett	Doss	Jackson	Slate
Barron	Downing	King	Smith (K)
Bassett	Drake	Kinsey	Smith (P)
Benton	Easters	Lutz	Snell
Boutwell	Edwards	McBride	Stokes
Brassell	Ellis	McMillan	Stubbs
Burgess	Erdreich	McNair	Therrell
Callahan	Falkenburg	Manley	Timmons
Carnes	Fite	Mathews	Turnham
Carter	Goodwin	May	Waggoner
Casey	Grainger	Merrill	Waldrop
Cauthen	Gray (F)	Naramore	Wallace
Chesnut	Grey (D)	O'Daniel	Weeks
Connell	Hale	Owens	Williams
Coshatt	Hardin	Parker	Wise
Cottingham	Harris	Perloff	Wynot

—80

Nay: Mr. Gafford.

—1

And the bill:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Reynolds
Adams	Doss	King	Robertson
Bank	Downing	Kinsey	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Snell
Boutwell	Erdreich	McNair	Stokes
Brassell	Fite	Manley	Stubbs
Burgess	Gafford	Mathews	Therrell
Callahan	Goodwin	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hobbie	Pruitt	Wise
Crowe	Hughes	Reed (T)	Wynot
Culver			

—85

UNANIMOUS CONSENT GRANTED

At the request of Mr. Erdreich, unanimous consent was granted for the Journal to show him abstaining on the passage of the bill, H. 1047.

And the bill:

H. 1646. (With Amendment): Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

Was taken up.

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The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section IV (c) so as to read as follows:

"(c) The legislative clerk provided for in sub-section (b) of this section shall be employed by the governing body of the county but such clerk shall not be covered by the provisions of any civil service system which may be applicable in any such county and said clerk shall serve at the pleasure of a majority of the legislative delegation of any such county and at a salary to be established by such delegation. Such salary and other expenses not to exceed the sums available in said "Legislative Fund".

And the amendment was adopted.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reynolds
Adams	Culver	Hughes	Robertson
Bank	Dill	Jackson	St. John
Barkett	Doss	King	Slate
Barron	Downing	Kinsey	Smith (K)
Bassett	Easters	Lutz	Snell
Benton	Edwards	McBride	Stokes
Brassell	Ellis	McDonald	Stubbs
Burgess	Falkenburg	Manley	Therrell
Callahan	Gafford	Mathews	Timmons
Carnes	Goodwin	May	Turnham
Carter	Grainger	Meeks	Waggoner
Casey	Gray (F)	Merrill	Waldrop
Cauthen	Grey (D)	Naramore	Wallace
Chesnut	Hale	O'Daniel	Warren
Connell	Hardin	Owens	Weeks
Coshatt	Harris	Parker	Williams
Cottingham	Headley	Perloff	Wise
Crawford	Hearn	Porter	Wynot

—76

Nay: Mr. McNair.

—1

And the bill, H. 1646, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker	Casey	Easters	Hardin
Adams	Chesnut	Edwards	Harris
Adwell	Coshatt	Erdreich	Headley
Barkett	Cottingham	Falkenburg	Hearn
Barron	Crawford	Flippo	Hill
Bassett	Crowe	Gafford	Hobbie
Benton	Culver	Goodwin	Hughes
Brassell	Dill	Grainger	Jackson
Callahan	Doss	Gray (F)	King
Carnes	Downing	Grey (D)	Kinsey
Carter	Drake	Hale	Lutz

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McBride	O'Daniel	Smith (K)	Waggoner
McDonald	Owens	Smith (P)	Waldrop
McNair	Perloff	Snell	Wallace
Manley	Porter	Stokes	Warren
Mathews	Pruitt	Stubbs	Weeks
May	Reynolds	Therrell	Williams
Meeks	St. John	Timmons	Wise
Merrill	Slate	Turnham	Wynot
Naramore			

—77

Nays: Messrs. Boutwell and McMillan.

—2

And the bill:

H. 457. To provide additional exemptions from the sales and use taxes levied in Marion County under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Doss	Hughes	Porter
Adams	Downing	Jackson	Reynolds
Bank	Drake	Jones (F)	Robertson
Barkett	Easters	King	St. John
Barron	Edwards	Kinsey	Slate
Bassett	Ellis	Lutz	Smith (K)
Benton	Erdreich	McBride	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Flippo	McMillan	Stokes
Brassell	Gafford	Mathews	Stubbs
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Mims	Waldrop
Chesnut	Hale	Naramore	Wallace
Collins	Hardin	Nettles	Warren
Cottingham	Harris	O'Daniel	Weeks
Crawford	Headley	Owens	Williams
Crowe	Hearn	Parker	Wise
Culver	Hill	Perloff	Wynot
Dill	Hobbie		

—82

And the bill:

H. 960. (With Amendment): Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees, tax-

es, commissions, and other monies received under the provisions of the act; to provide for refinancing of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In the title, strike the following:

"to provide for the refinancing of the bonds of indebtedness on the St. Clair County Hospital;"

and insert in lieu thereof the following:

To provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County Hospital;

Strike subsection (a) of Section 22 and insert in lieu thereof the following:

(a) Fifteen per cent (15%) or \$200,000 whichever is greater to the St. Clair County Hospital Board. It is the intent of this appropriation to eliminate the need for the levying and collection of the four mill property tax that is presently authorized and is being levied and collected for this purpose. Accordingly, the hospital board and/or the county governing body is hereby authorized and empowered to exercise one of two options (1) use whatever portion of this revenue necessary to refinance the bonds of indebtedness on the hospital or (2) deposit all of the above allocated revenue in an interest bearing escrow account until there is deposited a sufficient amount to retire the bonds of indebtedness on the hospital. In the event option number one is exercised, that portion of the revenue in excess of the amount necessary for debt service on the refinanced bonds shall be used to provide resident emergency medical staff, emergency medical service (ambulance) to the county, future expansion of said hospital or construction of other related health facilities and for the operation and maintenance of all such facilities. Should option number two be exercised, and after which time the present outstanding bonds of indebtedness are retired, the revenue allocated herein to the Hospital Board shall be used to provide resident emergency medical staff, emergency medical service (ambulance), future expansion of present hospital, or construction of other related health facilities and the operation and maintenance of all such facilities. In the event the four mill hospital tax is not repealed by the voters of the county, none of the revenue allocated herein shall be paid to the hospital board, but shall be allocated in the same percentage basis as hereinafter provided for in this Section.

In Section 28 strike the following:

"The referendum shall be held not less than thirty (30) days, nor more than forty (40) days after the effective date of this Act,"

and insert in lieu thereof the following:

The referendum shall be held not less than thirty (30) days, nor more than sixty (60) days after the effective date of this Act,

And the amendment was adopted.

Yeas 60; Nays 1.

Yeas:

Messrs.:	Dill	King	Reynolds
Adams	Downing	Kinsey	Roberts
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Benton	Erdreich	McDonald	Smith (K)
Boutwell	Falkenburg	McMillan	Snell
Brassell	Flippo	Manley	Stubbs
Callahan	Goodwin	Mathews	Therrell
Carter	Grainger	May	Timmons
Chesnut	Gray (F)	Merrill	Turner
Connell	Grey (D)	Naramore	Waggoner
Coshatt	Harris	Nettles	Waldrop
Cottingham	Headley	O'Daniel	Weeks
Crawford	Hobbie	Owens	Williams
Crowe	Jones (F)	Porter	Wynot
Culver			

—60

Nay: Mr. Carnes.

—1

And the bill:

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 5.

Yeas:

Messrs.:	Bassett	Cauthen	Culver
Bank	Benton	Coshatt	Dill
Barron	Boutwell	Crawford	Downing

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Drake	Hearn	Naramore	Smith (K)
Erdreich	Jackson	O'Daniel	Stokes
Falkenburg	King	Owens	Timmons
Goodwin	Lutz	Parker	Turnham
Grainger	McBride	Perloff	Waggoner
Gray (F)	May	Porter	Weeks
Grey (D)	Meeks	Roberts	Williams
Hale	Merrill	Slate	Wise
Hardin			—44

Nays:

Mr. Speaker	Carnes	Kinsey	Reid (R)
Burgess			—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1330. (With Amendment): Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 1330 by deleting the words in Section 2, "any public recreation program", and reworded "in summer time baseball".

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Falkenburg	King
Adams	Chesnut	Flippo	Kinsey
Adwell	Connell	Gafford	Lutz
Bank	Coshatt	Goodwin	McBride
Barkett	Cottingham	Grainger	McDonald
Barron	Crawford	Gray (F)	McMillan
Bassett	Crowe	Grey (D)	Manley
Benton	Culver	Hale	Mathews
Boles	Dill	Hardin	May
Boutwell	Doss	Harris	Meeks
Brassell	Downing	Headley	Merrill
Burgess	Drake	Hearn	Mims
Callahan	Easters	Hill	Naramore
Carnes	Edwards	Hobbie	Nettles
Carter	Ellis	Hughes	O'Daniel
Casey	Erdreich	Jackson	Owens

Parker	Roberts	Stokes	Waldrop
Perloff	Robertson	Stubbs	Wallace
Porter	St. John	Therrell	Warren
Pruitt	Slate	Timmons	Weeks
Reed (T)	Smith (K)	Turner	Williams
Reid (R)	Smith (P)	Turnham	Wise
Reynolds	Snell	Waggoner	Wood

—92

And the bill, H. 1330 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boles	Casey	Crowe
Adwell	Boutwell	Cauthen	Culver
Bank	Brassell	Chesnut	Dill
Barkett	Burgess	Connell	Doss
Barron	Callahan	Coshatt	Downing
Bassett	Carnes	Cottingham	Drake

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Easters	Hill	Naramore	Smith (P)
Edwards	Hobbie	Nettles	Snell
Ellis	Hughes	O'Daniel	Stokes
Erdreich	Jackson	Owens	Stubbs
Falkenburg	King	Parker	Therrell
Flippo	Kinsey	Perloff	Timmons
Gafford	Lutz	Porter	Turner
Goodwin	McBride	Pruitt	Turnham
Grainger	McDonald	Reed (T)	Waggoner
Gray (F)	McMillan	Reid (R)	Waldrop
Grey (D)	Manley	Reynolds	Wallace
Hale	Mathews	Roberts	Warren
Hardin	May	Robertson	Weeks
Harris	Meeks	St. John	Williams
Headley	Merrill	Slate	Wise
Hearn	Mims	Smith (K)	Wood

—92

And the bill:

H. 1622. (With Amendment): To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1622 by deleting the following words and figures wherever they may appear: "a population of not less than 100,000 nor more than 200,000", and inserting in lieu thereof the following words and figures, "a population of not less than 150,000 nor more than 180,000".

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Hobbie
Adams	Cauthen	Erdreich	Hughes
Adwell	Chesnut	Falkenburg	Jackson
Bank	Connell	Flippo	King
Barkett	Coshatt	Gafford	Kinsey
Barron	Cottingham	Goodwin	Lutz
Bassett	Crawford	Grainger	McBride
Benton	Crowe	Gray (F)	McDonald
Boles	Culver	Grey (D)	McMillan
Boutwell	Dill	Hale	Manley
Brassell	Doss	Hardin	Mathews
Burgess	Downing	Harris	May
Callahan	Drake	Headley	Meeks
Carnes	Easters	Hearn	Merrill
Carter	Edwards	Hill	Mims

Naramore	Reed (T)	Smith (P)	Waggoner
Nettles	Reid (R)	Snell	Waldrop
O'Daniel	Reynolds	Stokes	Wallace
Owens	Roberts	Stubbs	Warren
Parker	Robertson	Therrell	Weeks
Perloff	St. John	Timmons	Williams
Porter	Slate	Turner	Wise
Pruitt	Smith (K)	Turnham	Wood

—92

And the bill:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

LEAVE OF ABSENCE

At the request of Mr. Smith (P), leave of absence was granted for Mr. McCluskey.

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UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Bowers voting "Yea" on all local bills that follow.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Fite to suspend the rules in order to bring up out of order the bill, H. 1318, was lost, lacking a four-fifths vote.

Yeas 52; Nays 21.

Yeas:

Messrs.:	Downing	Kinsey	St. John
Adams	Easters	Lutz	Slate
Barkett	Edwards	McDonald	Smith (K)
Barron	Fite	McMillan	Smith (P)
Benton	Grainger	Manley	Stokes
Brassell	Gray (F)	Merrill	Stubbs
Carnes	Grey (D)	Mims	Turnham
Carter	Headley	Naramore	Waldrop
Cauthen	Hill	Nettles	Wallace
Chesnut	Hobbie	Porter	Warren
Coshatt	Jackson	Pruitt	Wise
Cottingham	Jones (F)	Reid (R)	Wood
Crawford	King	Reynolds	Wynot
Crowe			

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Nays:

Mr. Speaker	Dill	Hale	Owens
Boutwell	Doss	Hearn	Parker
Bowers	Drake	Hughes	Perloff
Callahan	Erdreich	May	Snell
Collins	Falkenburg	Meeks	Therrell
Connell			

—21

BILLS ON THIRD READING RESUMED

And the bill:

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boles	Casey	Crowe
Adwell	Boutwell	Cauthen	Culver
Bank	Brassell	Chesnut	Dill
Barkett	Burgess	Connell	Doss
Barron	Callahan	Coshatt	Downing
Bassett	Carnes	Cottingham	Drake

Easters	Hill	Naramore	Smith (P)
Edwards	Hobbie	Nettles	Snell
Ellis	Hughes	O'Daniel	Stokes
Erdreich	Jackson	Owens	Stubbs
Falkenburg	King	Parker	Therrell
Flippo	Kinsey	Perloff	Timmons
Gafford	Lutz	Porter	Turner
Goodwin	McBride	Pruitt	Turnham
Grainger	McDonald	Reed (T)	Waggoner
Gray (F)	McMillan	Reid (R)	Waldrop
Grey (D)	Manley	Reynolds	Wallace
Hale	Mathews	Roberts	Warren
Hardin	May	Robertson	Weeks
Harris	Meeks	St. John	Williams
Headley	Merrill	Slate	Wise
Hearn	Mims	Smith (K)	Wood

And the bill:

H. 1145. (With Substitute) (With Amendments): To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 1,000 feet from the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty per cent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of three-fourths of the members of such governing body.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal Decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 500 feet from the property which is the subject of the proposed change and by placing a sign upon the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty percent or more of the property owners receiving such notice, such change shall not be effected without the af-

firmative vote of a minimum of two-thirds of the members of such governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to all counties having a population in excess of 600,000 according to the last or any subsequent Federal Decennial census and to all municipalities in such counties. As used herein, the term "governing body" shall mean the governing body of any county or municipality subject to the provisions of this Act. The phrase "change in zoning classification" shall include, without limitation, any change, modification or amendment of zone district boundaries.

Section 2. No governing body subject to the provisions of this Act shall enact any change in the zoning classification of any property subject to the zoning jurisdiction of such county or municipality without first giving written notice a minimum of 15 days prior to the proposed date of such enactment to all owners of property located in whole or in part within 500 feet from the boundaries of the property which is the subject of the proposed change in zoning classification, as shown by the records of the office of the Tax Assessor of such county on a date not more than 45 days prior to the date of such notice. Such notice shall state the street address of the property, if any, which is the subject of the proposed change in zoning classification and shall also state that a protest may be filed with respect to such proposed change in accordance with the provisions of Section 3 of this Act. Such notice shall be deemed given when deposited in the United States mail, first class postage prepaid, addressed to such property owners at their addresses as shown on the records of the office of the Tax Assessor of such county on the date such owners are determined. Any error in the address of any such notice shall not invalidate the giving of notice pursuant to this Section provided that no more than 5% of the total number of notices given with respect to any proposed change in zoning classification contain any such error.

Section 3. Any property owner to whom such notice is given may protest such proposed change in zoning classification by filing with the office of the clerk of the governing body giving such notice on or before three days prior to the proposed date of such enactment a written protest signed by such property owner. In the event written protests with respect to any proposed change of zoning classification shall be filed by fifty percent or more of the property owners to whom such notice is given, such proposed change of zoning classification shall not be enacted without the affirmative vote of a minimum of two-thirds of the members of such governing body. A protest with respect to property owned by more than one property owner jointly or as tenants in common may be signed by any one of such owners. Only one protest shall be allowed with respect to each separately assessed unit of property.

Section 4. In addition to the notice provided in Section 2 hereof and other notice provided under prior law, notice of rezoning shall further be given by the party seeking rezoning placing a sign upon the property to be rezoned, which sign shall be of sufficient size and shall be located, pursuant to regulations established by the applicable governing body, to give notice of the hearing for rezoning and an explanation of the change in zoning being requested. The applicable governing body may require other information to be placed upon said sign. Said sign shall be placed upon the property subject to rezoning not less than twenty days prior to the first hearing to be held con-

cerning the rezoning of said property, and shall remain upon said property until the zoning procedure has been completed.

Section 5. The notice and protest provided under the provisions of this Act shall be in addition to any other notice or protest provided under prior law. To the extent possible, the provisions of this Act shall be construed as supplementary to prior law and not in derogation thereof.

Section 6. The provisions of this Act are severable. In the event that any section, clause or provision hereof shall be held invalid or unenforceable, such holding shall not invalidate or render unenforceable any other section, clause or provision hereof.

Section 7. This Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law, but shall not apply to any change of zoning classification initiated prior to its effective date.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend the substitute to H. B. 1145 by deleting in Section 3 the words "In the event written protests with respect to any proposed change of zoning classification shall be filed by fifty percent or more of the property owners to whom such notice is given, such proposed change of zoning classification shall not be enacted without the affirmative vote of a minimum of two-thirds of the members of such governing body."

And the amendment was adopted.

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Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 4 of the substitute to H. B. 1145 as amended by deleting the last sentence and substituting in lieu thereof the following:

"Said sign shall be placed upon the property subject to rezoning not less than twenty days prior to the first hearing to be held concerning the rezoning of the said property. The applicant shall file an affidavit at the first hearing stating that said sign was placed on subject property 20 days prior to such hearing."

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Callahan	Dill	Grainger
Adams	Carnes	Doss	Gray (F)
Adwell	Carter	Downing	Grey (D)
Bank	Casey	Drake	Hale
Barkett	Cauthen	Easters	Hardin
Barron	Chesnut	Edwards	Harris
Bassett	Connell	Ellis	Headley
Benton	Coshatt	Erdreich	Hearn
Boles	Cottingham	Falkenburg	Hill
Boutwell	Crawford	Flippo	Hobbie
Brassell	Crowe	Gafford	Hughes
Burgess	Culver	Goodwin	Jackson

King	Mims	Reynolds	Timmons
Kinsey	Naramore	Roberts	Turner
Lutz	Nettles	Robertson	Turnham
McBride	O'Daniel	St. John	Waggoner
McDonald	Owens	Slate	Waldrop
McMillan	Parker	Smith (K)	Wallace
Manley	Perloff	Smith (P)	Warren
Mathews	Porter	Snell	Weeks
May	Pruitt	Stokes	Williams
Meeks	Reed (T)	Stubbs	Wise
Merrill	Reid (R)	Therrell	Wood

—92

And the bill:

H. 1145. To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal Decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of a property located within 500 feet from the property which is the subject of the proposed change and by placing a sign upon the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty percent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of two-thirds of the members of such governing body.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

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And the bill:

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cottingham	Ellis
Adams	Burgess	Crawford	Erdreich
Adwell	Callahan	Crowe	Falkenburg
Bank	Carnes	Culver	Flippo
Barkett	Carter	Dill	Gafford
Barron	Casey	Doss	Goodwin
Bassett	Cauthen	Downing	Grainger
Benton	Chesnut	Drake	Gray (F)
Boles	Connell	Easters	Gray (D)
Boutwell	Coshatt	Edwards	Hale

Hardin	McMillan	Porter	Stubbs
Harris	Manley	Pruitt	Therrell
Headley	Mathews	Reed (T)	Timmons
Hearn	May	Reid (R)	Turner
Hill	Meeks	Reynolds	Turnham
Hobbie	Merrill	Roberts	Waggoner
Hughes	Mims	Robertson	Waldrop
Jackson	Nammore	St. John	Wallace
King	Nettles	Slate	Warren
Kinsey	O'Daniel	Smith (K)	Weeks
Lutz	Owens	Smith (P)	Williams
McBride	Parker	Snell	Wise
McDonald	Perloff	Stokes	Wood

—92

And the bill:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Nammore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Was taken up.

Mr. Waldrop offered the following amendment to the bill:

In Section 1. a) of the bill add after #3 the following:

4. 5¢ privilege or license tax upon each 12 fluid ounces of draft beer sold anywhere within said counties, for the benefit of boards of education within such counties the revenues to be distributed in the same manner as in a) 1. above.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Brassell
Adwell	Barron	Boles	Burgess

Callahan	Falkenburg	McDonald	Robertson
Carnes	Flippo	McMillan	St. John
Carter	Gafford	Manley	Slate
Casey	Goodwin	Mathews	Smith (K)
Cauthen	Grainger	May	Smith (P)
Chesnut	Gray (F)	Meeks	Snell
Connell	Grey (D)	Merrill	Stokes
Coshatt	Hale	Mims	Stubbs
Cottingham	Hardin	Naramore	Therrell
Crawford	Harris	Nettles	Timmons
Crowe	Headley	O'Daniel	Turner
Culver	Hearn	Owens	Turnham
Dill	Hill	Parker	Waggoner
Doss	Hobbie	Perloff	Waldrop
Downing	Hughes	Porter	Wallace
Drake	Jackson	Pruitt	Warren
Easters	King	Reed (T)	Weeks
Edwards	Kinsey	Reid (R)	Williams
Ellis	Lutz	Reynolds	Wise
Erdreich	McBride	Roberts	Wood

—92

And the bill, H. 1665, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

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2371

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Headley
Adams	Casey	Edwards	Hearn
Adwell	Cauthen	Ellis	Hill
Bank	Chesnut	Erdreich	Hobbie
Barkett	Connell	Falkenburg	Hughes
Barron	Coshatt	Flippo	Jackson
Bassett	Cottingham	Gafford	King
Benton	Crawford	Goodwin	Kinsey
Boles	Crowe	Grainger	Lutz
Boutwell	Culver	Gray (F)	McBride
Brassell	Dill	Grey (D)	McDonald
Burgess	Doss	Hale	McMillan
Callahan	Downing	Hardin	Manley
Carnes	Drake	Harris	Mathews

May	Perloff	Slate	Turnham
Meeks	Porter	Smith (K)	Waggoner
Merrill	Pruitt	Smith (P)	Waldrop
Mims	Reed (T)	Snell	Wallace
Naramore	Reid (R)	Stokes	Warren
Nettles	Reynolds	Stubbs	Weeks
O'Daniel	Roberts	Therrell	Williams
Owens	Robertson	Timmons	Wise
Parker	St. John	Turner	Wood

—92

And the bill:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 10,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. McNair voting "Yea" on all local bills.

And the bill:

H. 1671. (With Amendment): To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license,

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to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 2 delete the following words and figures:

"who shall be appointed by the chairman or president of the county governing body, county revenue commissioner and the judge of probate, or a majority of them who shall constitute a board of appointment for such purpose, such officer shall hold office at the pleasure of the appointing board and any vacancy occurring shall be filled by the appointing board or a majority of them."

and insert in lieu thereof the following words and figures:

who shall be elected at the next general election for any state officers held after the effective date of this act and each four years thereafter; and shall take office for a term of four years on the first Monday after the second Tuesday in January next succeeding their election and until their successors shall be elected and qualified.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grey (D)	Meeks
Adams	Cottingham	Hale	Merrill
Adwell	Crawford	Hardin	Mims
Bank	Crowe	Harris	Naramore
Barkett	Culver	Headley	Nettles
Barron	Dill	Hearn	O'Daniel
Bassett	Doss	Hill	Owens
Benton	Downing	Hobbie	Parker
Boles	Drake	Hughes	Perloff
Boutwell	Easters	Jackson	Porter
Brassell	Edwards	King	Pruitt
Burgess	Ellis	Kinsey	Reed (T)
Callahan	Erdreich	Lutz	Reid (R)
Carnes	Falkenburg	McBride	Reynolds
Carter	Flippo	McDonald	Roberts
Casey	Gafford	McMillan	Robertson
Cauthen	Goodwin	Manley	St. John
Chesnut	Grainger	Mathews	Slate
Connell	Gray (F)	May	Smith (K)

Smith (P)	Therrell	Waggoner	Weeks
Snell	Timmons	Waldrop	Williams
Stokes	Turner	Wallace	Wise
Stubbs	Turnham	Warren	Wood

—92

And the bill, H. 1671 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Burgess	Crowe	Flippo
Adams	Callahan	Culver	Gafford
Adwell	Carnes	Dill	Goodwin
Bank	Carter	Doss	Grainger
Barkett	Casey	Downing	Gray (F)
Barron	Cauthen	Drake	Gray (D)
Bassett	Chesnut	Easters	Hale
Benton	Connell	Edwards	Hardin
Boles	Coshatt	Ellis	Harris
Boutwell	Cottingham	Erdreich	Headley
Brassell	Crawford	Falkenburg	Hearn

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Hill	May	Reed (T)	Therrell
Hobbie	Meeks	Reid (R)	Timmons
Hughes	Merrill	Reynolds	Turner
Jackson	Mims	Roberts	Turnham
King	Naramore	Robertson	Waggoner
Kinsey	Nettles	St. John	Waldrop
Lutz	O'Daniel	Slate	Wallace
McBride	Owens	Smith (K)	Warren
McDonald	Parker	Smith (P)	Weeks
McMillan	Perloff	Snell	Williams
Manley	Porter	Stokes	Wise
Mathews	Pruitt	Stubbs	Wood

—92

And the bill:

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Gray (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Dill moved to reconsider the vote by which the bill, H. 1145, was passed, and the motion was adopted.

And the bill:

H. 1145. To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal Decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of the property located within 500 feet from the property which is the subject of the proposed change and by placing a sign upon the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty percent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of two-thirds of the members of such governing body.

Was again taken up.

Mr. McMillan offered the following amendment to the bill, as amended:

Amend Section 2 of H. B. 1145 by deleting the words and figures "45 days" and substituting in lieu thereof "one year".

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And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill, H. 1145 as thus amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Slate
Bassett	Edwards	McDonald	Smith (K)
Benton	Ellis	McMillan	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	O'Daniel	Waldrop
Chesnut	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Crowe	Hobbie	Reed (T)	Wood

—92

And the bill:

H. 14. (With Amendment): To require the posting of fee for costs in all civil suits filed in any court in Mobile County.

Was taken up.

Mr. Lyons offered the following substitute to the bill, with pending amendment:

**A BILL
TO BE ENTITLED
AN ACT**

To require the posting of a fee for costs in all civil suits filed in the courts in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. No civil suit shall be received for filing by the clerk of any court in the County of Mobile, State of Alabama unless the bill of complaint is accompanied by a filing fee as follows:

In the Inferior Court	\$ 6.00
In the Court of General Sessions	\$ 10.00
In the Circuit Court	\$ 35.00

In the event the court costs are not collected from the defendant in such action, the filing fee shall be applied toward the payment of such costs in the case. Upon the payment of court costs by the defendant in any suit in which a filing fee has been paid, then the plaintiff shall be refunded his filing fee by the clerk of the court.

Section 2. All laws or parts of laws in conflict with the provisions hereof be, and the same are, expressly repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 52; Nays 3.

Yeas:

Mr. Speaker	Crawford	Hearn	Porter
Barkett	Dill	Hobbie	Roberts
Barron	Downing	Hughes	Robertson
Bassett	Easters	King	St. John
Boles	Ellis	Lutz	Therrell
Brassell	Falkenburg	McBride	Timmons
Carnes	Fite	McDonald	Turnham
Casey	Grainger	McNair	Waggoner
Chesnut	Gray (F)	May	Waldrop
Collins	Grey (D)	Meeks	Wallace
Connell	Hale	Merrill	Williams
Coshatt	Hardin	O'Daniel	Wood
Cottingham	Harris	Parker	Wynot

—52

Nays: Messrs. Nettles, Perloff and Stokes.

—3

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Mr. Wood offered the following amendment to the bill, H. 14 as amended:

Amend H. B. 14, as amended by adding the following sentence to Section 1:

In the event all costs are not collected in a case in the Circuit Court of Mobile County, the Clerk or Register of said court shall not prorate those costs that are collected, but shall first apply those funds in his possession to the costs of the county; any funds remaining shall then apply to those costs going to the State of Alabama.

And the amendment was adopted.

Yeas 55; Nays 1.

Yeas:

Mr. Speaker	Connell	Harris	Perloff
Adams	Coshatt	Hearn	Porter
Adwell	Cottingham	Hobbie	Roberts
Barkett	Crawford	Hughes	St. John
Barron	Dill	King	Smith (K)
Bassett	Downing	Lutz	Therrell
Boles	Easters	McBride	Timmons
Boutwell	Ellis	McCorquodale	Waggoner
Brassell	Falkenburg	McDonald	Waldrop
Callahan	Fite	McNair	Wallace
Carnes	Grainger	May	Williams
Casey	Gray (F)	Merrill	Wood
Chesnut	Hale	Nettles	Wynot
Collins	Hardin	Owens	

—55

Nay: Mr. Stokes.

—1

And the bill:

H. 14. To require the posting of a fee for costs in all civil suits filed in the courts in Mobile County.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 3.

Yeas:

Mr. Speaker	Coshatt	Hearn	Porter
Adams	Cottingham	Hobbie	Roberts
Adwell	Crawford	Hughes	Robertson
Barkett	Dill	King	Smith (K)
Barron	Downing	Lutz	Therrell
Bassett	Easters	McBride	Timmons
Boles	Ellis	McCorquodale	Waggoner
Boutwell	Erdreich	McDonald	Waldrop
Callahan	Falkenburg	McNair	Wallace
Carnes	Grainger	May	Williams
Chesnut	Gray (F)	Merrill	Wood
Collins	Hale	Owens	Wynot
Connell	Hardin	Parker	

—51

Nays: Messrs. Nettles, Perloff and Stokes.

—3

And the bill:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 1.

Yeas:

Messrs.:	Crawford	Hughes	O'Daniel
Adams	Dill	Jones (F)	Owens
Adwell	Downing	King	Perloff
Barkett	Easters	Lutz	Roberts
Barron	Erdreich	McBride	St. John
Bassett	Falkenburg	McCorquodale	Smith (K)
Boutwell	Fite	McDonald	Stokes
Brassell	Grainger	McNair	Therrell
Callahan	Hale	Mathews	Timmons
Carnes	Hardin	May	Waldrop
Collins	Harris	Meeks	Williams
Connell	Hearn	Merrill	Wood
Cottingham	Hobbie	Nettles	Wynot

—51

Nay: Mr. Turner.

—1

And the bill:

H. 1367. (With Amendment): Relating to Mobile County, to increase the compensation of election officials in such county.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend House Bill 1367 by deleting therefrom the figure "\$25.00" and inserting in its place the figures "\$20.00" and by deleting the figure \$40.00 and inserting in its place the figure "\$30.00."

And the amendment was adopted.

Yeas 57; Nays 0.

Yeas:

Messrs.:	Callahan	Easters	Hearn
Adams	Carnes	Ellis	Hobbie
Adwell	Chesnut	Erdreich	Hughes
Barkett	Collins	Falkenburg	King
Barron	Coshatt	Grainger	Lutz
Bassett	Cottingham	Gray (F)	McBride
Boles	Crawford	Hale	McCorquodale
Boutwell	Dill	Hardin	McDonald
Brassell	Downing	Harris	McMillan

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McNair	Perloff	Stokes	Waggoner
May	Porter	Stubbs	Waldrop
Meeks	Roberts	Therrell	Wallace
Merrill	St. John	Timmons	Wood
Nettles	Smith (K)	Turner	Wynot
Owens	Snell		

—57

And the bill, H. 1367 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Roberts
Adams	Dill	King	St. John
Adwell	Downing	Lutz	Smith (K)
Barron	Ellis	McBride	Snell
Bassett	Erdreich	McCorquodale	Stokes
Boles	Falkenburg	McDonald	Therrell
Boutwell	Grainger	McNair	Timmons
Brassell	Gray (F)	Meeks	Waggoner
Callahan	Hale	Merrill	Waldrop
Carnes	Hardin	Nettles	Wallace
Collins	Hearn	Perloff	Wood
Coshatt			

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 1.

Yeas:

Messrs.:	Coshatt	Hobbie	Perloff
Adams	Dill	Hughes	Porter
Adwell	Downing	King	Roberts
Barkett	Easters	Lutz	St. John
Barron	Ellis	McBride	Smith (K)
Bassett	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stokes
Boutwell	Grainger	McNair	Stubbs
Brassell	Gray (F)	Mathews	Therrell
Callahan	Hale	May	Timmons
Carnes	Hardin	Meeks	Waggoner
Cauthen	Harris	Merrill	Waldrop
Chesnut	Headley	Nettles	Wise
Collins	Hearn	Owens	Wynot

—55

Nay: Mr. Wood.

—1

And the bill:

H. 280. (With Substitute): To repeal Act No. 2441, H. B. 821, 1971 Regular Session (1971 Acts, p. 3903) entitled "To provide that the Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the Chief of Police of such Municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any Civil Service or Personnel Board rules or regulations concerning such appointment and providing that such Governing Body may fix the compensation of said Chief of Police."

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide that the Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent or any future federal decennial census, may appoint the Chief of Police of such Municipality, in the event of a vacancy, from the number of officers of the police force who hold the rank of major or above with 3 years or more service in this rank.

Be It Enacted by the legislature of Alabama:

Section 1. The Governing Body of any municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent or any future federal decennial census may at its discretion provide by ordinance that the said Governing Body may in the event the Office of Chief of Police becomes vacant fill such vacancy from the number of officers then in active service on the police force of such municipality who hold the rank of major or above with 3 years or more service in this rank. In the event there is a Civil Service system in such municipality said ordinance shall provide that all officers of the class prescribed herein shall be given a civil service competitive examination under all other rules and regulations of said Civil Service System. All officers taking said examination shall be placed on a promotion list in the order of their final grade on said examination, which list shall be certified to the Governing Body of such municipality by the Director or other chief executive of said Civil Service system. The Governing Body shall give consideration to the rank of the officers on said list but may appoint any officer prescribed herein to fill the position of Chief of Police. Nothing in this act shall be construed to change or alter the operation of any Civil Service System or any of its rules or regulations except as provided herein.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

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Section 4. This act shall become effective after its passage and approval by the Governor, or upon its otherwise becoming a law, but not prior to September 1, 1973.

And the substitute was adopted.

Yeas 54; Nays 0.

Yeas:

Messrs.:	Easters	Lutz	Roberts
Adams	Ellis	McBride	St. John
Adwell	Falkenburg	McCorquodale	Slate
Barkett	Fite	McDonald	Smith (K)
Barron	Grainger	McMillan	Snell
Bassett	Gray (F)	McNair	Stokes
Boutwell	Hale	Mathews	Stubbs
Brassell	Hardin	May	Therrell
Carnes	Harris	Meeks	Timmons
Chesnut	Headley	Merrill	Waggoner
Collins	Hearn	Nettles	Waldrop
Coshatt	Hobbie	Owens	Wise
Dill	Hughes	Perloff	Wood
Downing	King	Porter	

—54

And the bill:

H. 280. To provide that the Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent or any future federal decennial census, may appoint the Chief of Police of such Municipality, in the event of a vacancy, from the number of officers of the police force who hold the rank of major or above with 3 years or more service in this rank.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 2.

Yeas:

Messrs.:	Coshatt	Hughes	St. John
Adams	Dill	King	Slate
Adwell	Downing	Lutz	Smith (K)
Bank	Easters	McBride	Snell
Barkett	Ellis	Mathews	Stubbs
Barron	Grainger	May	Therrell
Bassett	Gray (F)	Merrill	Timmons
Boutwell	Hale	Owens	Waggoner
Brassell	Hardin	Perloff	Waldrop
Carnes	Headley	Porter	Wise
Chesnut	Hearn	Roberts	Wood
Collins	Hobbie		

—45

Nays: Messrs. Nettles and Stokes.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Messrs.:	Cottingham	Hill	Perloff
Adams	Crawford	Hobbie	Porter
Adwell	Dill	Hughes	Roberts
Agee	Downing	King	St. John
Bank	Easters	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCorquodale	Snell
Bassett	Fite	McDonald	Stokes
Boles	Flippo	McMillan	Stubbs
Boutwell	Grainger	McNair	Therrell
Brassell	Gray (F)	Mathews	Timmons
Callahan	Hale	May	Waldrop
Carnes	Hardin	Meeks	Wallace
Chesnut	Harris	Merrill	Wise
Collins	Headley	Nettles	Wood
Coshatt	Hearn	Owens	Wynot

—63

And the bill:

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Messrs.:	Cottingham	Hill	Perloff
Adams	Crawford	Hobbie	Porter
Adwell	Dill	Hughes	Roberts
Agee	Downing	King	St. John
Bank	Easters	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCorquodale	Snell
Bassett	Fite	McDonald	Stokes
Boutwell	Flippo	McMillan	Stubbs
Brassell	Grainger	McNair	Therrell
Callahan	Gray (F)	Mathews	Timmons
Carnes	Hale	May	Waldrop
Cauthen	Hardin	Meeks	Wallace
Chesnut	Harris	Merrill	Wood
Collins	Headley	Nettles	Wynot
Coshatt	Hearn	Owens	

—62

And the bill:

H. 1086. To amend Section 2 of Act No. 370, S. 439, Regular Session 1953 (Acts 1953, p. 439), which section relates to the authority of the gov-

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erning body of any city or town in any county of the State of Alabama having a population of not less than 225,000 nor more than 500,000 inhabitants, according to the most recent federal decennial census, to confer upon the chief of police of any such city or town to suspend any employees of the police department of such city or town, so as to provide that such suspended employees shall have right of appeal from such suspension.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Messrs.:	Cottingham	Hill	Owens
Adams	Dill	Hobbie	Perloff
Adwell	Downing	Hughes	Porter
Agee	Easters	King	Roberts
Bank	Ellis	Lutz	St. John
Barkett	Falkenburg	McBride	Smith (K)
Barron	Fite	McDonald	Snell
Boutwell	Flippo	McMillan	Stokes
Brassell	Grainger	McNair	Stubbs
Carnes	Gray (F)	Mathews	Therrell
Casey	Hale	May	Waldrop
Cauthen	Hardin	Meeks	Wallace
Chesnut	Harris	Merrill	Wood
Collins	Headley	Nettles	Wynot
Coshatt	Hearn		

—57

And the bill:

H. 607. (With Amendment): To provide that the fire fighters or police officers of any city having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may by election designate bargaining agents to represent each in respect to the wages the City employing each shall pay each and in respect to other conditions of employment; to provide for calling and conducting elections to certify bargaining agents and elections to decertify bargaining agents to authorize the Director of Labor of the State of Alabama to establish rules and regulations governing the call of, notice of, and conduct of such elections; to provide for collective bargaining proceedings to be instituted by the bargaining agents or the officers or body empowered to establish wages for the fire fighters or police officers; to provide for compulsory arbitration; to provide for the appointment of arbitrators and define their jurisdiction and authority; to provide that it shall be unlawful for a fire fighter or police officer to strike or engage in any work stoppage or slowdown, and that it shall be unlawful for any bargaining agent, or any officer or body empowered to establish wages for fire fighters or police officers to fail to bargain in good faith, in accordance with this Act; to provide penalties for any person violating this Act; and to repeal all laws or parts of laws, whether general, special or local, in conflict with this Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

At the end of Section 11 and as a part thereof insert the following:

Should a corporate authority take lawful disciplinary action such as dismissal, suspension, or loss of any rights against any police officer or firefighter who engages in any strike, work stoppage, or slowdown, then such disciplinary action shall not be a proper matter for collective bargaining between the bargaining agent and the corporate authority.

And the amendment was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Dill	Hughes	Perloff
Adams	Downing	King	Porter
Adwell	Easters	Lutz	Roberts
Bank	Ellis	McBride	St. John
Barkett	Erdreich	McCorquodale	Slate
Barron	Fite	McMillan	Smith (K)
Boutwell	Flipppo	McNair	Snell
Brassell	Grainger	Mathews	Stokes
Callahan	Hale	May	Stubbs
Carnes	Hardin	Meeks	Therrell
Cauthen	Harris	Merrill	Timmons
Chesnut	Headley	Nettles	Waldrop
Collins	Hearn	O'Daniel	Wood
Connell	Hill	Owens	Wynot
Coshatt	Hobbie		

—58

And the bill, H. 607 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 2.

Yeas:

Messrs.:	Downing	Lutz	Roberts
Adams	Ellis	McBride	St. John
Adwell	Fite	McCorquodale	Smith (K)
Barron	Flipppo	McDonald	Snell
Bassett	Grainger	McMillan	Stokes
Boutwell	Hale	McNair	Stubbs
Brassell	Hardin	May	Therrell
Carnes	Headley	O'Daniel	Waldrop
Chesnut	Hearn	Owens	Wise
Coshatt	Hill	Perloff	Wood
Cottingham	Hughes	Porter	Wynot
Dill	King		

—45

Nays: Mr. Speaker and Collins.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Jones (F) to suspend the rules in order to bring up out of order the bill, H. 126, was lost, lacking a four-fifths vote.

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Yeas 35; Nays 29.

Yeas:

Messrs.:	Cottingham	Jones (F)	Slate
Adams	Downing	Kinsey	Stubbs
Bassett	Easters	McDonald	Therrell
Benton	Ellis	Manley	Turner
Boles	Fite	Mims	Turnham
Boutwell	Flippo	Naramore	Waldrop
Brassell	Goodwin	Perloff	Wallace
Carnes	Hobbie	Reid (R)	Warren
Chesnut	Jackson	Reynolds	Wise

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Nays:

Mr. Speaker	Dill	King	Meeks
Agee	Doss	McBride	Merrill
Bowers	Erdreich	McCorquodale	Nettles
Cauthen	Falkenburg	McMillan	Parker
Collins	Hale	McNair	St. John
Connell	Hardin	Mathews	Stokes
Crawford	Hearn	May	Timmons
Crowe			

—29

RESOLUTIONS

The following resolutions introduced on the twenty-fourth legislative day were read by Title according to Joint Rule 12:

H. J. R. 167. COMMENDING MRS. JUANITA LEDBETTER UPON BEING NAMED PRESIDENT OF THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL.

H. J. R. 168. MOURNING THE DEATH OF MR. WILLIAM A. OLDACRE

H. J. R. 169. COMMENDING MR. BART STARR

H. J. R. 170. COMMENDING JOHN T. "TOMMY" KIRK

H. J. R. 171. COMMENDING LEWIS E. McCRAY FOR HIS AMERICAN LEGION AND OTHER CIVIC ACTIVITIES, AND WISHING HIM THE BEST OF LUCK TOWARD HIS ELECTION AS NATIONAL COMMANDER OF THE AMERICAN LEGION.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Carnes moved to reconsider the vote by which the bill, H. 1665, was passed, and the motion was adopted.

And the bill:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such

counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Was again taken up.

Mr. Carnes offered the following amendment to the bill, as amended:

Amend H. B. 1665 as follows:

Amend Section 2 (d) by striking the word "at" where same appears therein and substitute in lieu thereof the word "but".

And the amendment was adopted.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker	Culver	McBride	Perloff
Adams	Dill	McCorquodale	Porter
Agee	Downing	McDonald	Reynolds
Barkett	Drake	McNair	St. John
Barron	Easters	Manley	Slate
Boutwell	Ellis	Mathews	Smith (K)
Carnes	Fite	May	Snell
Carter	Gafford	Meeks	Therrell
Chesnut	Gray (F)	Merrill	Turnham
Connell	Hale	Naramore	Waggoner
Coshatt	Hearn	Nettles	Waldrop
Cottingham	Hobbie	O'Daniel	Wallace
Crawford	Hughes	Owens	Wynot

—52

And the bill, H. 1665 as thus amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Culver	Lutz	Porter
Adams	Dill	McBride	Reynolds
Adwell	Downing	McCorquodale	Roberts
Agee	Easters	McDonald	Robertson
Bank	Edwards	McMillan	St. John
Barkett	Ellis	McNair	Slate
Barron	Erdreich	Mathews	Snell
Bassett	Falkenburg	May	Stokes
Boutwell	Fite	Meeks	Therrell
Bowers	Gafford	Merrill	Turner
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Waldrop
Chesnut	Gray (F)	Nettles	Wallace
Connell	Hale	O'Daniel	Williams
Coshatt	Hobbie	Owens	Wood
Cottingham	Hughes	Perloff	Wynot
Crawford	Lang		

—66

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 172. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, August 7, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 172, was adopted.

UNFINISHED BUSINESS

The House then proceeded with the consideration of unfinished business.

And the bill:

H. 1273. To amend Section 257, subsection (d) of Section 262, Sections 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301 paragraphs (2), (4) and (5) of Section 309, Sections 312 and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, providing immunity under certain circumstances from suits to co-employees, to workmen's compensation insurance carriers of employers and to persons or companies making certain safety inspections, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal

year beginning October 1, 1974, and ending September 30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940, as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

Was taken up.

Mr. Cauthen offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 257, 262, 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301, 309, 312, and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal year beginning October 1, 1974, and ending September 30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations

for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940, as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 255, Title 26, Code of Alabama 1940, as last amended, relating to when defenses excluded, is hereby repealed. Section 256, Title 26, Code of Alabama 1940, as last amended, relating to when defenses available, is hereby repealed.

Section 2. Section 257, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 257. Death and personal injury claims.—The provisions of the two preceding sections shall apply to any claims for death of an employee as covered by Sections 119 and 123 of Title 7 and Section 328 of this title, and to personal injuries arising under Section 118 of Title 7 and Section 326 of this title."

Section 3. Section 261, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 261. Legal services.—No part of the compensation payable under Article 2 of this chapter shall be paid to attorneys for the claimant for legal services, unless upon the application of a claimant to a judge of the circuit court such judge shall order or approve of the employment of an attorney by the claimant and in such event the judge upon the hearing of the petition for compensation shall fix the fee of the attorney for the claimant for his legal services, and the manner of its payment, with such fee being in the discretion of the judge as to what is reasonable in each instance."

Section 4. Section 262, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 262. Words and phrases defined.—Throughout articles 1 and 2 of this chapter the following words and phrases as used therein shall be considered to have the following meaning, respectively, unless the context shall clearly indicate a different meaning in the connection used. (a) The word 'compensation' has been used both in article 1 and article 2 of this chapter to indicate the money benefits to be paid on account of injury or death. Strictly speaking, the benefit which an employee may receive by action at law under article 1 of this chapter is damages, and this is indicated in Section 253 of this title. To avoid confusion, the word 'compensation' has been used in articles 1 and 2 of the chapter, but it should be understood that under article 1 the compensation by way of damages is determined by an action at law. The word 'compensation' does not include medical and surgical treatment and attention, medicine, medical and surgical supplies, crutches and apparatus furnished an employee on account of an injury. (b) 'Child' or 'children' include posthumous children and all other children entitled by law to inherit as children of the deceased, also step-children who were members of the family of the deceased, at the time of the accident, and dependent upon him for support, also a grandchild of the deceased employee, whose father is dead or is an invalid, and who was supported by, and a member of the family

of, such deceased grandparent at the time of the accident. (c) A dependent child or orphan shall be considered to mean an unmarried child under the age of eighteen years, or one over that age who is physically or mentally incapacitated from earning. (d) The term 'employer' as used herein shall mean every person not excluded by Section 263 of this title who employs another to perform a service for hire and to whom the 'employer' directly pays wages, and shall include any person or corporation, co-partnership, or association, or group thereof, and shall, if the employer is insured, include his insurer, such insurer being entitled to the employer's rights, immunities and remedies under this chapter, as far as applicable, and shall not include one who regularly employs a number less than four in any business; however notwithstanding any section of articles 1 and 2 of this chapter, in no event shall a common carrier by motor vehicle operating pursuant to a certificate of public convenience and necessity be deemed the 'employer' of a leased-operator or owner-operator of a motor vehicle or vehicles under contract to such a common carrier. (e) The term 'physician' shall include 'surgeon,' and in either case shall mean one authorized by law to practice his profession within one of the United States and in good standing in his profession at the time. (f) The term 'workman' shall include the plural and all ages and both sexes. (g) The terms 'employee' and 'workman' are used interchangeably and have the same meaning throughout this chapter, and shall be construed to mean the same. (h) The terms 'wages,' and 'weekly wages,' and such expressions shall, in all cases, unless the context clearly indicates a different meaning, be construed to mean 'average weekly earnings.' Every person, not excluded by Section 263 of this title in the service of another under any contract of hire, express or implied, oral or written, includes aliens, and also includes minors who are legally permitted to work under the laws of the state. Any reference herein to a workman or employee shall, where the employee is dead, include a reference to his dependents, as herein defined if the context so requires. (i) The word 'accident' as used in the phrases 'personal injuries due to accident' or 'injuries or death caused by accident' in articles 1 and 2 of this chapter shall, unless a different meaning is clearly indicated by the context, be construed to mean an unexpected or unforeseen event, happening suddenly and violently, with or without human fault, and producing at the time injury to the physical structure of the body or damage to an artificial member of the body by accidental means. (j) Without otherwise affecting either the meaning or interpretation of the abridged clause, injuries by an accident arising out of and in the course of his employment, it is hereby declared: Not to cover workmen except while engaged in, or about the premises where their services are being performed, or where their service requires their presence as a part of such service at the time of the accident, and during the hours of service as such workmen, and shall not include an injury caused by the act of a third person or fellow employee intended to injure the employee because of reasons personal to him, and not directed against him as an employee, or because of his employment, and it shall not include a disease unless the disease results proximately from the accident. (k) Wherever in articles 1 and 2 of this chapter, the singular is used, the plural shall be included; where the masculine gender is used, the feminine and neuter shall be included. (l) Amputations between the elbow and wrist shall be considered as the equivalent to the loss of an arm, and the amputation between the knee and ankle shall be considered as the equivalent of the loss of a leg. (m) 'The court' as used herein, shall mean the circuit court which would have jurisdiction in an ordinary civil case involving a claim for the injuries or death in question, and 'the judge' shall mean a judge of said court.

"Article 1 of this chapter shall not apply in cases where article 2 becomes operative in accordance with the provisions thereof, but shall apply in all other cases, and in such cases shall be in extension or modification of the common law."

Section 5. Section 263, Title 26, Code of Alabama 1940, as last amended, is hereby amended as follows:

"Section 263. Articles 1 and 2 of chapter not applicable to certain employments.—Articles 1 and 2 of this chapter shall not be construed or held to apply to domestic servants, to farm laborers whose employers have not filed an election to become subject to this act, or to persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession or occupation of the employer, or to any employer, who regularly employs less than four employees in any one business or to any county, city, town, village or school district. Any employer who regularly employs less than four employees in any one business, any farmer, or any county, city, town, village or school district may accept the provisions of articles 1 and 2 of this chapter by filing written notice thereof with the Department of Industrial Relations, a copy thereof to be posted at the place of business of said employer and provided further, that any employer who has so elected to accept the provisions of articles 1 and 2 of this chapter may at any time withdraw the acceptance by giving like notice of withdrawal."

Section 6. Section 269, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 269. Supplementary reports. In all cases, upon making the first payment of compensation, and upon cessation or termination of payment of compensation, for any reason whatever, the employer shall make a supplementary report within ten days to the department of industrial relations on forms approved by said department. If the first installment of compensation is not paid within thirty days after the employer has knowledge of a claim for compensation, the employer shall file a report within ten days of the expiration of the thirty day period setting out the reason for such nonpayment with the department of industrial relations on forms approved by said department."

Section 7. Section 270, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 270. Right to compensation.—When an employer is subject to this article, compensation, according to the schedules hereinafter contained, shall be paid by every such employer, or those conducting the business during bankruptcy or insolvency, in every case of personal injury or death of his employee caused by an accident arising out of and in the course of his employment, without regard to any question of negligence, except no compensation shall be allowed for an injury or death caused by the wilful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or due to his own intoxication or his wilful failure or wilful refusal to use safety appliances provided by the employer, or due to the wilful refusal or wilful neglect of the employee or servant to perform a statutory duty or due to any other wilful violation of the law by the employee or his wilful breach of a reasonable rule or regulation of his employer, of which rule or regulation the employee has knowledge. If the em-

ployer defends on the ground that the injury arose in any or all of the last above stated ways, the burden of proof shall be on the employer to establish such defense."

Section 8. Section 273, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 273. Presumption as to acceptance of provisions of article.—All contracts of employment made on or after the effective date of this act shall be presumed to have been made with reference to and subject to the provisions of this article. All contracts of employment made prior to, and existing on, the effective date of this act, shall be presumed to continue from and after the effective date of this act, subject to and under the provisions of this article. Every employer and every employee, except as otherwise specifically provided herein, shall be presumed to have accepted and come under this article and the provisions thereof relating to the payment and acceptance of compensation."

Section 9. Section 276, Title 26, Code of Alabama 1940, as last amended, relating to either party may terminate agreement, is hereby repealed.

Section 10. Section 277, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 277. Minors.—Minors shall, for the purposes of this article, have the same power to contract, make settlements, and receive compensation, as adult employees, subject to the power of the court, in its discretion at any time to require the appointment of a guardian to make such settlement and to receive moneys thereunder or under an award, and payments of awards made to such minors or their guardians shall exclude any further compensation either to the minors or to their parents for loss of services or otherwise."

Section 11. Section 279, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 279. Schedule of compensation.—Following is the schedule of compensation:

"(A) Temporary Total Disability.

"For injury producing temporary total disability, sixty-six and two-thirds percent of the average weekly earnings received at the time of injury, subject to a maximum and minimum weekly compensation as stated in section 289 of this title; but if at the time of injury the employee received average weekly earnings of less than the minimum stated in section 289 of this title, then he shall receive the full amount of such average weekly earnings per week. This compensation shall be paid during the time of such disability, not, however, beyond three hundred weeks. If an employee so desires, compensation provided under this Act shall be made in one entire payment. However, if an employee and the insurer agree on periodic payments, such payment schedule may be followed, provided there is Circuit Court approval of said schedule. In no instance may an employer be allowed to commute such compensation.

"(B) Temporary Partial Disability.

"1. In general.

"In all cases of temporary partial disability the compensation shall be sixty-six and two-thirds percent of the difference between the average weekly

earnings of the workman at the time of the injury and the average weekly earnings he is able to earn in his partially disabled condition. This compensation shall be paid during the period of such disability, not however, beyond three hundred weeks. If an employee so desires, compensation provided under this Act shall be made in one entire payment. However, if an employee and the insurer agree on periodic payments, such payment schedule may be followed, provided there is Circuit Court approval of said schedule. In no instance may an employer be allowed to commute such compensation. Payments shall be subject to the same maximum weekly compensation as stated in Section 289 of the title.

"2. When partially disabled employee leaves first employment.

"If the injured employee who is receiving such compensation for temporary partial disability should leave the employment of the employer by whom he was employed at the time of the accident for which such compensation is being paid, he shall, upon securing employment elsewhere, give to such former employer an affidavit in writing containing the name of his new employer, the place of employment, the amount of wages being received at such new employment, and until he gives such affidavit, the compensation for temporary partial disability shall cease. The employer by whom such employee was employed at the time of the accident for which such compensation is being paid may also at any time demand of such employee additional affidavit, in writing, containing the name of his employer, the place of his employment, and the amount of wages he is receiving, and if the employee, upon such demand, fails or refuses to make and furnish such affidavit, his right to compensation for temporary partial disability shall cease until such affidavit is made and furnished.

"(C) 1. Permanent Partial Disability.

"For permanent partial disability the compensation shall be based upon the extent of such disability. In cases included in the following schedule the compensation shall be sixty-six and two-thirds percent of the average weekly earnings, during the number of weeks set out in the following schedule:

"For the loss of a thumb, sixty-two weeks.

"For the loss of a first finger, commonly called index finger, forty-three weeks.

"For the loss of a second finger, thirty-one weeks.

"For the loss of a third finger, twenty-two weeks.

"For the loss of a fourth finger, commonly called little finger, sixteen weeks.

"The loss of the first phalange of the thumb, or of any finger, shall be considered as equal to the loss of one-half of such thumb, or finger, and compensation shall be paid at the prescribed rate during one-half of the time specified above for such thumb or finger.

"The loss of two or more phalanges shall be considered as the loss of the entire finger or thumb; but in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

"For the loss of a great toe, thirty-two weeks.

"For the loss of any of the toes other than the great toe, eleven weeks.

"The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be paid at the prescribed rate during one-half the time prescribed above for such toe.

"The loss of two or more phalanges shall be considered as the loss of entire toe.

"For the loss of a hand, one hundred seventy weeks.

"For the loss of an arm, two hundred twenty-two weeks.

"For the loss of a foot, one hundred thirty-nine weeks.

"Amputation between the elbow and wrist shall be considered as the equivalent to the loss of a hand, and the amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot.

"For the loss of a leg, two hundred weeks.

"For the loss of an eye, one hundred twenty-four weeks.

"For the complete and permanent loss of hearing in both ears, one hundred sixty-three weeks.

"For the complete and permanent loss of hearing in one ear, fifty-three weeks.

"For the loss of an eye and a leg, three hundred and fifty weeks.

"For the loss of an eye and one arm, three hundred and fifty weeks.

"For the loss of an eye and a hand, three hundred and twenty-five weeks.

"For the loss of an eye and a foot, three hundred weeks.

"For the loss of two arms, other than at the shoulder, four hundred weeks.

"For the loss of two hands, four hundred weeks.

"For the loss of two legs, four hundred weeks.

"For the loss of two feet, four hundred weeks.

"For the loss of one arm and the other hand, four hundred weeks.

"For the loss of one hand and one foot, four hundred weeks.

"For the loss of one leg and the other foot, four hundred weeks.

"For the loss of one hand and one leg, four hundred weeks.

"For the loss of one arm and one foot, four hundred weeks.

"For the loss of one arm and one leg, four hundred weeks.

"For serious disfigurement, not resulting from the loss of a member or other injury specifically compensated, materially affecting the employability

of the injured person in the employment in which he was injured or other employment for which he is then qualified, sixty-six and two-thirds percent of the average weekly earnings for such period as the court may determine, not exceeding one hundred weeks.

"Where a permanent partial disability follows a period of temporary total disability resulting from the same injury, the first fifteen weeks of such temporary total disability shall not be deducted from the number of weeks payable for the permanent partial disability.

"If an employee so desires, compensation provided under this Act shall be made in one entire payment. However, if an employee and the insurer agree on periodic payments, such payment schedule may be followed, provided there is Circuit Court approval of said schedule. In no instance may an employer be allowed to commute such compensation.

"2. Concurrent injuries.

"Where an employee sustains concurrent injuries resulting in concurrent disabilities, he shall receive compensation, only for the injury which entitled him to the largest amount of compensation, but this section shall not affect liability for the concurrent loss of more than one member for which members compensation is provided in the specific schedule and in sub-section (D).

"3. Loss of use of a member.

"In all cases the permanent and total loss of the use of a member shall be considered as equivalent to the loss of that member but in such cases the compensation in and by said schedule shall be in lieu of all other compensation except as otherwise provided herein. In case of permanent disability, due to injury to a member resulting in less than total loss of use of such member, not otherwise compensated in this schedule, compensation shall be paid at the prescribed rate during that part of the time specified in the schedule for the total loss or total loss of use of the respective member, which the extent of the injury to the member bears to its total loss.

"If an employee so desires, compensation provided under this Act shall be made in one entire payment. However, if an employee and the insurer agree on periodic payments, such payment schedule may be followed, provided there is Circuit Court approval of said schedule. In no instance may an employer be allowed to commute such compensation.

"4. Employee refusing employment.

"If an injured employee, refuses employment suitable to his capacity, offered to or procured for him, he shall not be entitled to any compensation at any time during the continuance of such refusal unless at any time in the opinion of the judge of the circuit court of the county of his residence, such refusal is justifiable.

"5. Permanent partial maximum and minimum.

"All compensation provided in subsection (C) of this section for loss of members, or loss of use of members, is subject to the same limitations as to maximum and minimum weekly compensation as stated in section 289 of this title.

"6. All other permanent partial.

"In all other cases of permanent partial disability not above enumerated, the compensation shall be sixty-six and two-thirds percent of the difference between the average weekly earnings of the workman at the time of the injury and the average weekly earnings he is able to earn in his partially disabled condition subject to the same maximum weekly compensation as stated in section 289 of this title.

"7. Maximum time.

"Compensation shall continue during disability, not however, beyond three hundred weeks.

"8. Affidavit of new employment.

"In case the injured employee leaves the services of the employer for whom he was working at the time of the accident and accepts employment elsewhere, he shall make and furnish affidavit as to his new employment in the manner as required in subsection (B).

"(D) 1. Permanent Total.

"For permanent total disability as defined in subsection (E) sixty-six and two-thirds percent of the average weekly earnings received at the time of the injury, subject to a maximum and minimum weekly compensation as stated in section 289 of this title; provided that, if at the time of injury the employee was receiving earnings of less than the minimum as stated in section 289 of this title, then he shall receive the full amount of his earnings per week. This compensation shall be paid during such permanent total disability, not exceeding six hundred and fifty weeks but in no event shall the aggregate of such payment exceed the total amount provided in Section 289 of this title. If an employee so desires, compensation provided under this Act shall be made in one entire payment. However, if an employee and the insurer agree on periodic payments, such payment schedule may be followed, provided there is Circuit Court approval of said schedule. In no instance may an employer be allowed to commute such compensation.

"2. Employee inmate of public institution.

"In case an employee, who is permanently and totally disabled becomes an inmate of a public institution, then no compensation shall be payable unless he has wholly dependent on him for support a person or persons named in sections 280 and 281 of this title, whose dependency shall be determined as if the employee were deceased, in which case the compensation provided for in this subsection shall be paid for the benefit of such person so dependent, during dependency, in the manner ordered by the court, while the employee is an inmate in such institution.

"Provided, however, that nothing contained herein shall be construed to deprive a permanently and totally disabled employee who has no dependents named in sections 280 and 281 of this title from receiving benefits to which he would otherwise be entitled if said employee, although an inmate of a public institution, is paying or on whose behalf funds are paid from any source to said public institution the normal and customary charge for the services rendered by such public institution. Normal and customary charge shall mean that charge actually made by the public institution to persons able to pay for

the services rendered them whether said charge actually covers the expense of the upkeep of said inmate or not. In the event said employee has had a guardian appointed by a court of competent jurisdiction, said workmen's compensation payments shall be directly paid to said guardian.

“(E) Permanent Total Disability Defined.

“The total and permanent loss of the sight of both eyes or the loss of both arms at the shoulder, or complete and permanent paralysis or total and permanent loss of mental faculties, which totally incapacitates the employee from working at any occupation which brings him an income, shall constitute permanent total disability.

“1. Other second permanent injury.

“If an employee has a permanent disability or has previously sustained another injury than that in which he received a subsequent permanent injury by accident such as is specified in the sections herein defining permanent injury, he shall be entitled to compensation only for the degree of injury that would have resulted from the latter accident if the earlier disability or injury had not existed.

“2. Certain second permanent injuries.

“If an employee has previously lost or lost the use of one eye, one leg, one arm, one foot, or one hand, and thereafter in the same employment or in the employment of another, he should by accident receive additional injuries so as to proximately cause the loss or loss of use of both eyes, both legs, both arms, both feet, or both hands, said employee shall receive compensation equal to the amount provided hereunder for one who has received a permanent total disability, such compensation to be paid by the employer to the extent that such employer would have to pay compensation for the degree of injury that would have resulted from the accident if the earlier disability or injury had not existed and the remainder of the amount of such compensation after the completion of such payments by the employer shall be paid by the director of industrial relations as trustee from any amounts from time to time standing to his account as such trustee in the second injury trust fund.

“3. Other permanent total disabilities.

“For permanent total disability other than as defined in sub-section (E) sixty-six and two-thirds percent of the average weekly earnings received at the time of injury subject to a maximum and minimum weekly compensation as stated in section 289 of this title; but if at the time of the injury, the employee was receiving earnings of less than the minimum as stated in section 289 of this title, then he shall receive full amount of his earnings per week. This compensation shall be paid during the period of such permanent disability not exceeding five hundred weeks. If an employee so desires, compensation provided under this Act shall be made in one entire payment. However, if an employee and the insurer agree on periodic payments, such payment schedule may be followed, provided there is Circuit Court approval of said schedule. In no instance may an employer be allowed to commute such compensation.

“4. Benefits not concurrent; exception.

“If an employee received an injury for which compensation is payable while he is still receiving or entitled to compensation for a previous injury in the same employment, he shall not at the same time be entitled to compensa-

tion for both injuries, unless the later injury be a permanent injury, such as specified in this section; but he shall be entitled to compensation for that injury and from the time of that injury which will cover the longest period and the largest amount payable under articles 1 and 2 of this chapter.

"5. Second permanent injuries resulting in permanent total disability.

"If an employee received a permanent injury as specified in this section, after having sustained another permanent injury in the same employment, he shall be entitled to compensation for both injuries, but the total compensation shall be paid by extending the period and not by increasing the amount of weekly compensation, and in no case exceeding six hundred weeks. When the previous and subsequent injuries received in the same employment result in total disability, compensation shall be payable for permanent total disability, but payments made for the previous injury shall be deducted from the total payment of compensation due.

"(F) Compensation for Death after Disability.

"In case a workman sustained an injury occasioned by an accident arising out of and in the course of his employment and during the period of disability caused thereby death results proximately therefrom, all payments previously made as compensation, if any, due on account of death. If a workman who has sustained a permanent disability, the degree of which has been agreed upon by the parties or has been ascertained by the court, and death results not proximately therefrom, the employee's surviving spouse and/or dependent children shall be entitled to the balance of the payments which would have been due and payable to the workman, not exceeding, however, the amount that would have been due the surviving spouse and/or dependent children if death had resulted proximately from the injury.

"1. Hernia.

"In all claims for compensation for hernia resulting from injury by an accident arising out of and in the course of his employment, it must be definitely proven to the satisfaction of the court:

reason of the shortness of the time during which the employee has been in the employment of his employer, or the casual nature or terms of the employment, it is impracticable to compute the average weekly earnings as above defined, regard shall be had to the average weekly amount which during the fifty-two weeks prior to the injury was being earned by a person in the same grade, employed at the same work by the same employer, and if there is no such person so employed, by a person in the same grade employed in the same class of employment in the same district. Wherever allowances of any character made to an employee in lieu of wages are specified as part of the wage contract, they shall be deemed a part of his earnings.

"(H) Cases pending at time of enactment.

"In any compensation cases pending at the time of enactment of this Act, such employee drawing compensation may elect to receive the balance due him or her in one entire payment. Notice shall be given to the employer, who shall, within thirty (30) days, provide such employee with said balance. In no instance may an employer be allowed to commute such compensation."

Section 12. Section 280, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

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"Section 280. Persons presumed wholly dependent.—For the purposes of this article, the following described persons shall be conclusively presumed to be wholly dependent:

"Wife, unless it be shown that she was voluntarily living apart from her husband at the time of his injury or death, or unless it be shown that the husband was not in any way contributing to her support and had not in any way contributed to her support for more than twelve months next preceding the occurrence of the injury causing his death.

"Husband, unless it be shown that he was voluntarily living apart from his wife at the time of her injury or death, or unless it be shown that the wife was not in any way contributing to his support and had not in any way contributed to his support for more than twelve months next preceding the occurrence of the injury causing her death.

"Minor children under the age of eighteen years, and those over eighteen if physically or mentally incapacitated from earning."

Section 13. Section 283, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 283. Death compensation.—In death cases where the death results proximately from the accident within three years, compensation payable to dependents shall be computed on the following basis and shall be paid to the persons entitled thereto without administration, or to a guardian or such other person as the court may direct, for the use and benefit of the person entitled thereto.

"(A) Persons Entitled to Benefits.

"1. If the deceased employee leaves dependent widow or widower and no dependent child, there shall be paid to the widow or widower thirty-seven percent of the average weekly earnings of the deceased.

"2. If the deceased employee leaves a dependent widow or dependent husband and one dependent child, there shall be paid to the widow or husband for the benefit of herself or himself and such child, fifty-two percent of the average weekly earnings of the deceased.

"3. If the deceased employee leaves a dependent widow or dependent husband and two or more dependent children, there shall be paid to the widow or husband for the benefit of herself or himself and such children, sixty-six and two-thirds percent of the average weekly earnings of the deceased.

"4. In all cases where compensation is payable to a widow or husband for the benefit of herself or himself and dependent child, or children, the court shall at any time have the power to determine, in its discretion, without the appointment of any guardian or guardians what portion of the compensation shall be applied for the benefit of any such child or children and may order the same paid to a guardian or custodian of such child or children.

"5. If the deceased employee leaves a dependent child or dependent children and no dependent widow or dependent husband, there shall be paid, if only one child, thirty-seven percent of the average weekly earnings of the deceased, if two such children, fifty-two percent of such average weekly earnings and if three or more such children sixty-six and two-thirds percent of the average weekly earnings of the deceased.

"6. If the deceased employee leaves no widow or child or husband entitled to any payment hereunder, but leaves a parent or parents, either or both of whom are wholly dependent on the deceased, there shall be paid, if only one parent, thirty-seven percent of the average weekly earnings of the deceased, and if both parents, fifty-two percent of the average weekly earnings of the deceased, to such parent or parents.

"7. If the deceased employee leaves no widow or child or husband or parent entitled to any payment hereunder, but leaves a grandparent, brother, sister, mother-in-law or father-in-law, wholly dependent on him for support, there shall be paid to such dependent, if but one, thirty percent of the average weekly earnings of the deceased, or if more than one, forty percent of the average weekly earnings of the deceased, divided between or among them, share and share alike.

"8. Partial dependents shall be entitled to receive only that proportion of the benefits provided for total dependents, which the average amount of the earnings regularly contributed by the deceased employee to such partial dependent, at and for a reasonable time immediately prior to the injury, bore to the total income of the dependent during the same time.

"9. If the deceased employee leaves a dependent widow, or dependent husband, or dependent child, or dependent children, or two or more such dependents entitled to compensation, and the total compensation payable to all of such dependents is less than sixty-six and two-thirds percent of the average weekly earnings of the deceased employee and less than the maximum weekly compensation stated in section 289 of this title, and the deceased employee also leaves a parent or parents wholly dependent on him for support, then such parent or such parents if more than one, shall in the manner provided in subsection 6 hereof, be paid such percentage of the average weekly earnings of the deceased as is equal to the difference between sixty-six and two-thirds percent of the average weekly earnings of the deceased and the percentage of such earnings payable to such widow or husband and such child or children as is or are left by such deceased employee; provided that the maximum weekly compensation payable to such parent or parents under this subsection shall not exceed the difference between the maximum weekly compensation as stated in section 289 of this title and the weekly compensation payable to such widow, or husband and child or children, as is or are left by the deceased employee.

"10. If compensation is being paid under this article to any dependent, such compensation shall cease upon the death or marriage of such dependent, unless otherwise provided in this article.

"Upon the cessation of compensation to or for any dependent, for any cause, the compensation of the remaining dependents entitled to compensation shall, for the unexpired period during which their compensation is payable, be that which would have been payable to them had they been the only persons entitled to compensation at the time of death of the deceased employee.

"(B) Maximum and Minimum Death Compensation.

"The compensation payable in case of death to persons wholly dependent shall be subject to a maximum and minimum weekly compensation as stated in section 289 of this title; but if at the time of injury the employee receives earnings of less than the minimum stated in section 289 of this title,

then the compensation shall be the full amount of such earnings per week. The compensation payable to partial dependents shall be subject to a maximum and minimum weekly compensation as stated in section 289 of this title; but if the income loss of said partial dependents by such death is less than the minimum weekly compensation stated in section 289 of this title, then the dependents shall receive the full amount of their income loss. This compensation shall be paid during dependency, not exceeding five hundred weeks, payments to be made at the intervals when the earnings were payable, as nearly as may be unless the parties otherwise agree."

Section 14. Section 285, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 285. Expenses of burial.—In all cases where death results to an employee caused by an accident arising out of and in the course of his employment, the employer shall pay, in addition to the medical and hospital expenses provided for in Section 293 of this title, the expenses of burial, not exceeding in amount one thousand dollars. In case dispute arises as to the reasonable value of the services rendered in connection with the burial, the same shall be approved by the court before payment after such reasonable notice to interested parties as the court may require."

Section 15. Section 286, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 286. Orphans defined.—In computing and paying compensation to orphans or other children, in all cases, only those under eighteen years of age, or those over eighteen years of age, who are physically or mentally incapacitated from earning, shall be included; the former to receive compensation only during the time they are under eighteen, the latter for the time they are so incapacitated, within the applicable period for which benefits are payable."

Section 16. Section 289, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 289. Limitations on compensation.—In no case hereunder, except as otherwise provided herein, shall the compensation paid hereunder be more than sixty-eight dollars per week nor less than thirty dollars per week, and in no case shall the total amount exceed \$34,000; provided, however, that effective July 1, 1974, in no case hereunder, except as otherwise provided herein, shall the compensation paid hereunder be more than seventy-five dollars per week nor less than thirty dollars per week, and in no case shall the total amount exceed \$37,500."

Section 17. Section 292, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 292. Waiting period; penalty for late payment.—In cases of temporary total or temporary partial disability no compensation shall be allowed for the first three days after disability, except as provided by section 293 of this title, nor in any case unless the employer has actual knowledge of the injury or is notified thereof within the period specified in section 294 of this title. Compensation shall begin with the fourth day after disability and in the event the disability from the injury exists for a period as much as twenty-one days, compensation for the first three days after the injury shall be added to and payable with the first installment due the employee after the expiration

of the twenty-one days. If any installment of compensation payable is not paid without good cause within thirty days after it becomes due, there shall be added to such unpaid installment an amount equal to ten percent thereof, which shall be paid at the same time as, but in addition to, such installment."

Section 18. Section 293, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 293. Medical, surgical, and hospital service.—In addition to the compensation herein provided, the employer shall pay the actual cost of the repair, refitting or replacement of artificial members damaged as the result of an accident arising out of and in the course of employment and the employer shall pay the actual cost of reasonably necessary medical and surgical treatment and attention, physical rehabilitation, medicine, medical and surgical supplies, crutches, original artificial members, and other apparatus, as may be obtained by the injured employee during the first four years of disability, or in case of death within said four years, obtained during the period occurring between the time of the injury and his death therefrom. If the employee is dissatisfied with the initial treating physician selected by the employer and if further treatment is required, the employee may so advise the employer and in such event the employee shall be referred to a second physician selected by the employer. In the event surgery is required, if the employee is dissatisfied with the designated physician, he may so advise the employer and in such event the employee shall be referred to a second physician selected by the employer. The total liability of the employer under this section shall not exceed the aggregate of thirty-five thousand dollars, and the pecuniary liability of the employer for such services rendered the employee shall be limited to such charges as prevail for similar treatment in the community where the injured employee resides. In case an insurer of the employee or a benefit association is liable for such medical, surgical and hospital service or for a part thereof, or in case the employee is entitled to the same or a part thereof, from any source whatever by virtue of any agreement or understanding, or law, state or federal, without any loss of benefit to the employee, the employer shall not be required in such case to pay any part of such expense, unless said benefits are insufficient to pay as much as said thirty-five thousand dollars, and in such event the employer shall be liable for the deficiency only. All cases of dispute as to the necessity and value of such services shall be determined by the tribunal having jurisdiction of the claim of the injured employee for compensation. In addition to the medical and surgical treatment provided during the first four years of disability, the employer may, if he so elects, furnish to the injured employee such medical and surgical treatment and attention, medical and surgical supplies, crutches, original artificial members, and other apparatus for such time thereafter as he desires to furnish same, and the employee shall accept the same; if the employer furnishes such medical and surgical attention and supplies during such four year period he shall not be liable under this section, except for such of said services and supplies as may, in an emergency, be procured by the employee elsewhere; in no event, however, shall the total liability hereunder exceed thirty-five thousand dollars. The injured employee must submit himself to examination by the employer's physician at all reasonable times, if requested to do so by the employer but the employee shall have the right to have a physician of his own selection present at such examination, in which case the employee shall be liable to such physician for his services. The employer shall pay for the services of the physician making the examination at the instance of the employer. And in case of dispute as to the injury, the court may, at the instance of either party,

or of its own motion, appoint a neutral physician of good standing and ability to make an examination of the injured person and report his findings to the court, the expense of which examination shall be borne equally by the parties. If the injured employee refuses to comply with any reasonable request for examination or refuses to submit to medical and surgical treatment and attention, or refuses to accept the medical service which the employer elects to furnish under the provisions of this chapter his right to compensation shall be suspended, and no compensation shall be payable for the period of such refusal. Any physician whose services are furnished or paid for by the employer, or any physician of the injured employee, who treats or makes or is present at any examination of an injured employee may be required to testify as to any knowledge by him in the course of such treatment or examination as same related to the injury or disability arising therefrom. Any such physician shall, upon written request of the injured employee or his employer, furnish to such injured employee or his employer a written statement of his professional opinion as to the extent of the injury and disability. In all death claims where the cause of death is obscure or is disputed, any interested party may require an autopsy, the cost of which is to be borne by the party demanding the same. Physicians shall include medical doctor, surgeon and chiropractor."

Section 19. Section 301, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 301. Employer may pay award to trustee and be discharged. —At any time after the amount of any award has been agreed upon by the parties, or found and ordered by the court, a sum equal to the present value of all future installments of compensation calculated on a six percent basis, may, where death or the nature of the injury renders the amount of future payments certain, by leave of court, be paid by the employer to any savings bank or trust company of this state, or any national bank doing business in this state to be approved and designated by the court, and such sum, together with all interest thereon, shall thereafter be held in trust for the employee or dependents of the employee, who shall have no further recourse against the employer. The payment of such sum by the employer, evidenced by the receipts in duplicate of the trustees, one of which shall be filed with the probate judge of the county in which the injury or death occurred, and the other filed with the clerk of the circuit court, shall operate as a satisfaction of said award as to the employer, and the trustee designated by the court shall be allowed to pay itself from said fund a reasonable compensation for acting as such trustee, which said compensation shall be fixed by the court in the decree making such designation. Payments from said fund shall be made by the trustee in the same amounts and at the same time as are herein required of the employer until said fund, after deducting trustee's compensation as above provided, and interest shall be exhausted. In the appointment of the trustee, preference shall be given, in the discretion of the court, to the choice of the injured employee or the dependents of the deceased employee as the case may be. In the event the right to receive compensation should terminate on account of death, becoming of age, or marriage, or for any other cause as provided in this chapter, the balance remaining in said bank or trust company after such termination should be returned by them to the employer, his successor or assigns."

Section 20. Section 309 of Title 26, Alabama Code 1940, as amended, is hereby amended to read as follows:

"Section 309. Employer given right to insure risks; self-insurer; evidence of and certificate of compliance; conditions.—(1) Option to insure risks.—Every employer who accepts the provisions of this chapter may secure the payment of compensation under this chapter by insuring and keeping insured his liability in some insurance corporation, association, organization or insurance association or corporation or association formed of employers and workmen or formed by a group of employers to insure the risks under this chapter operating by the mutual assessment or other plans or otherwise, provided that such insurance association, organization or corporation shall have first had its contract and plan of business approved in writing by the director of the department of insurance of Alabama and have been authorized by the said department to transact the business of workmen's compensation insurance in this state and under such charter or plan.

"(2) Self-insurer.—Every employer subject to the provisions of this chapter who elects not to insure his liability thereunder shall furnish satisfactory proof to the director of industrial relations of his financial ability to pay directly such compensation in the amount and manner and when due as provided by this chapter, whereupon the director shall authorize said employer to operate as a self-insurer; provided, however, the director may require such employer to post a surety bond or to deposit in a depository designated by the director money or securities of a kind and in an amount reasonably determined by the director and subject to such reasonable conditions as the director may prescribe, which shall include authorization to the director in case of default to sell any such securities to pay benefits due or to bring suit upon such bond to procure payment of benefits under this chapter. The director may also prescribe other reasonable rules and regulations for the purpose of protecting the injured employee or the employee's dependents.

"(3) Evidence of compliance.—Every employer subject to the provisions of this chapter shall file with the director, on a form prescribed by the director, annually, or as often as the director in his discretion deems necessary, evidence of compliance with the requirements of this section. In cases where insurance is taken with a carrier duly authorized to write such insurance in this state, notice of insurance coverage filed by the carrier shall be sufficient evidence of compliance by the insured.

"(4) Certificate of compliance; issuance; revocation; appeal.—Whenever an employer has complied with the provisions of subsection (2) hereof relating to self-insurance, the director shall issue to such employer a certificate, which shall remain in force for a period fixed by the director. The director may, upon sixty days' notice and hearing to the employer, for financial reasons, for failure of the employer to faithfully discharge his obligations according to the agreements contained in his application for self-insurance, or for the violation of any reasonable rule or regulation prescribed by the director, revoke the self-insurance certificate, in which case the employer shall immediately insure his liability. Certificates of self-insurance issued prior to the effective date of this act shall continue in force but shall become subject to revocation as provided herein. At any time after such revocation the director may grant a new certificate to the employer upon his application.

"An appeal may be taken from any ruling of the director under subsection (2) hereof and this subsection to the circuit court of any county wherein the employer does business. Trial in such court shall be de novo and without a jury unless the employer demands a jury trial at the time of taking such ap-

peal; provided, however, the taking of any such appeal shall not supercede the ruling or order appealed from unless good and sufficient bond approved by the judge of the court to which the appeal is taken shall be filed with the clerk of said court conditioned on complying with such order as may be legally made effective and further conditioned upon payment by the employer of all final judgments for compensation that may be rendered against him pending the disposition of such appeal.

“(5) Penalties for failure to secure compensation liability.—Any employer required to secure the payment of compensation under this section who fails to secure compensation shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not less than twenty-five dollars nor more than one thousand dollars and in addition thereto any employer required to secure the payment of compensation under this section who fails to secure such compensation shall be liable for two times the amount of compensation which would have otherwise been payable for injury or death to an employee. The director is authorized to apply to any court of competent jurisdiction for an injunction to restrain threatened or continued violation of any provisions relating to the requirements of insurance or self-insurance.

“(6) Conditions of insurance policies.—Insurance policies written pursuant hereto shall contain a clause to the effect that as between the workman and the insurer, notice to and knowledge by the employer of the occurrence of the injury shall be deemed notice and knowledge on the part of the insurer; that jurisdiction of the employer for the purpose of articles 1 and 2 of this chapter shall be jurisdiction of the insurer, and that the insurer will in all things be bound by and subject to the awards, adjudgment or judgment rendered against such employer upon the risk so insured. Such policies shall provide that the workman shall have equitable lien upon any amount which shall become owing on account of such policy to the employer from the insurer, and in case of legal incapacity or inability of the employer to receive the said amount and pay it over to the workman or dependents, the said insurer will pay the same direct to the said workman or dependents, thereby discharging all obligations under the policy to the employer and all the obligations of the employer and the insurer to the workman, but such policies shall contain no obligations relieving the insurance company from payment when the employer becomes involunt or discharged in bankruptcy or otherwise, during the period the policy is in force, if the compensation remains owing. The insurer must be one authorized by law to conduct such business in the State of Alabama, and all insurance companies writing such insurance may include in their policies, in addition to the requirements now provided by law, the additional requirements, terms and conditions in this section provided. Every insurance corporation, mutual corporation, reciprocal exchange or association authorized to transact the business of workmen's compensation insurance in this state and which insures employers against liability for compensation under the provisions of articles 1 and 2 of this chapter shall file with the department of insurance its classification of risks and premiums relating thereto and any subsequent proposed classification of risks and premiums, together with the basic rates and merit rating schedules, if a system of schedule-rating or merit-rating be used by such insurance corporation, exchange or association, none of which shall take effect until the director of the department of insurance shall have approved the same as reasonable, adequate and not excessive. Within ten days after such approval of said rates, schedules and system of schedule merit-rating by said director of the department of insurance, he shall make or cause to be made, a sufficient number of printed or typewritten cop-

ies of same for such purpose, and shall mail at least one copy of each of the same to every insurance carrier writing workmen's compensation business in the State of Alabama, at its last address, or at the last address of its designated agent to receive the same, left in writing by such carrier with said department. And every such insurance carrier shall (or if such insurance carrier be a member of or associated with a rating or inspection bureau, either or both of them or a concern or aggregation of like character, it shall cause such rating and inspection bureau, either or both, or concern or aggregation of like character with which it is affiliated to do so) file with the department of insurance a full and complete statement of the actuarial and underwriting experience data and the like in its possession, from which and upon which said rates, schedules and systems so filed were ascertained, calculated and constructed, and within six months after the expiration of each succeeding six months, file a like statement of all actuarial and underwriting data and the like, pertaining to such rates, schedules and system, accumulated or acquired by it during the preceding six months. Upon failure to file said statement within the time specified above, said rates, schedules or systems may be presumed by the director of the department of insurance without more, to be excessive, unreasonable or inadequate to provide the necessary reserves, or discriminatory as the case may be. The said director may withdraw his approval of any premium rate or schedule made by any such insurance corporation, association, mutual corporation, reciprocal exchange, if in his judgment, such premium rate or schedule is excessive or unreasonable or discriminatory or is inadequate to provide the necessary reserves. Nothing in articles 1 and 2 of this chapter contained or in any other law of this state shall affect the right of criminary as the case may be. The said director may withdraw his approval any insurance corporation or any mutual or reciprocal insurance corporation or association to issue participating policies or contracts and to pay savings, refunds or dividends upon such policies or contracts. No agreement by an employee to pay to an employer any portion of the cost of insuring his risk under articles 1 and 2 of this chapter shall be valid unless such agreement between the employer and employee the plan of which is part of a contract approved in writing by the director of the department of insurance of the State of Alabama. But the employer and the workman may agree to carry the risks covered by article 2 of this chapter in conjunction with other and greater risks and providing other and greater benefits such as additional compensation, accident, sickness or old age insurance or benefits, and the fact that such plan involves a contribution by the workman shall not prevent its validity if such plan has been approved in writing by the director of the department of insurance of Alabama. Any employer who shall make any charge or deduction prohibited by this section shall be guilty of a misdemeanor. If the employer shall insure to his employees the payment of the compensation provided by article 2 of this chapter and according to the full benefits thereof and with full coverage under articles 1 and 2 of this chapter in a corporation or association authorized to do business in the State of Alabama and approved by the director of the department of insurance of the State of Alabama, and if the employer shall post a notice or notices in a conspicuous place or in conspicuous places about his place of employment, stating that he is insured and by whom insured, and if the employer shall further file a copy of such notice with the department of insurance, then, and in such case, any suits or actions brought by an injured employee or his dependents shall be brought directly against the insurer, and the employer, or insured, shall be released from any further liability. In case of insolvency or bankruptcy of said insurance company or in case it cannot be

reached by due diligence by process in this state, the employer shall not be released from liability under the provisions of articles 1 and 2 of this chapter. Should any recovery be had in excess of the amount of the insurance carried, the employer shall be liable for such excess. The return of any execution upon any judgment of any employee against any such insurance company unsatisfied in whole or in part shall be conclusive evidence of the insolvency of such insurance company for the purposes of articles 1 and 2 of this chapter and in the event of adjudication of bankruptcy or insolvency of any such insurance company by any court of competent jurisdiction, proceedings may be brought by the employee against the employer in the first instance or against such employer and insurance company jointly or severally or in any pending proceeding against any insurance company, the employer may be joined at any time after such adjudication."

Section 21. Section 312, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 312. Liability of party other than employer and procedure governing.—Where the injury or death for which compensation is payable under article 2 of this chapter was caused under circumstances also creating a legal liability for damages on the part of any party other than the employer whether or not such party be subject to the provisions of article 2 of this chapter the employee, or his dependents in case of his death, may proceed against the employer to recover compensation under article 2 of this chapter, or may agree with the employer upon the compensation payable under article 2 of this chapter, and at the same time may bring an action against such other party to recover damages for such injury or death, and the amount of such damages shall be ascertained and determined without regard to article 2 of this chapter. If the injured employee, or in case of his death his dependents, recover damages against such other party the amount of such damages so recovered and collected shall be credited upon the liability of the employer for compensation, and if such damages so recovered and collected should be in excess of the compensation payable under article 2 of this chapter there shall be no further liability on the employer to pay compensation on account of such injury or death, and the employer shall be entitled to reimbursement for the amount of compensation theretofore paid on account of such injury or death. In the event the injured employee, or in case of his death, his dependents, do not file suit against such other party to recover damages within the time allowed by law, the employer or the insurance carrier for the employer shall be allowed an additional period of six months within which to bring suit against such other party for damages on account of such injury or death, in the event the employer or the insurance carrier shall have paid compensation to such employee, or his dependents, or in the event a proceeding is pending against the employer to require the payment of such compensation, and such suit may be maintained either in the name of the injured employee, or in case of his death in the name of his dependents, or in the name of the employer or the insurance carrier, and in the event the damages recovered in such suit are in excess of the compensation payable by the employer under article 2 of this chapter and costs, attorney's fees and reasonable expenses incurred by the employer in making such collection, the excess of such amount shall be held in trust for the injured employee, or in case of his death for his dependents. In the event such injured employee has no dependents, his personal representative in the event of his death may bring suit against such other party to recover damages without regard to article 2 of this chapter. In any settlement made under this section with a negligent third-party by the employee, or in

case of his death, by his dependents, the employer shall be liable for that part of the attorney's fees incurred in the settlement with the third-party, either with or without suit, in the same proportion that the amount of the reduction in the employer's liability to pay compensation bears to the total recovery had from such third-party."

Section 22. Section 4 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 4. Presumption as to acceptance of provisions of article.—All contracts of employment made on or after the effective date of this article shall be presumed to have been made with reference to and subject to the provisions of this article. All contracts of employment made prior to, and existing on, the effective date of this article shall be presumed to continue from and after said date, subject to and under the provisions of this article. Every employer and every employee shall be presumed to have accepted and come under this article and the provisions thereof relating to the payment and acceptance of compensation."

Section 23. Section 5 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, relating to either party may terminate agreement, is hereby repealed.

Section 24. Section 6 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 6. Surrender of other rights.—No employee of any employer subject to this article, nor the personal representative, surviving spouse or next of kin of any such employee, shall have any right to any other method, form or amount of compensation or damages for the contraction of the disease of occupational pneumoconiosis, or for injury, disability, loss of service or death resulting from such disease, arising out of and in the course of employment, or determination thereof in any manner other than as provided in this article."

Section 25. Section 7 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 7. Excluding other remedies.—The rights and remedies herein granted shall exclude all other rights and remedies of an employee, his personal representative, parent, surviving spouse, dependents or next of kin, at common law, by statute, contract, or otherwise on account of the contraction of the disease of occupational pneumoconiosis and on account of any injury, disability, loss of service or death resulting from the disease of occupational pneumoconiosis; but nothing in this section shall be construed to relieve any person from criminal prosecution for failure or neglect to perform any duty imposed by law."

Section 26. Section 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, relating to effect of election by employer or employee not to come under act, is hereby repealed.

Section 27. Section 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

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"Section 12. Rights and remedies arising from prior exposures.—All exposures of the employee occurring prior to the effective date of this Act to the hazards of said occupational pneumoconiosis while in the employ of the employer shall be deemed for all purposes to be subject to the provisions of this article, and the employee, his personal representative, parents, surviving spouse, dependents and next of kin, shall be entitled to compensation or other benefits and barred from other rights and remedies as herein provided for exposures occurring after the effective date of this Act."

Section 28. Section 3 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 3. Presumption as to acceptance of provisions of article.—All contracts of employment made on or after the effective date of this article shall be presumed to have been made with reference to and subject to the provisions of this article. All contracts of employment made prior to, and existing on, the effective date of this article shall be presumed to continue from and after said date, subject to and under the provisions of this article. Every employer and every employee shall be presumed to have accepted and come under this article and the provisions thereof relating to the payment and acceptance of compensation."

Section 29. Section 4 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, relating to termination of acceptance or election not to accept, is hereby repealed.

Section 30. Section 5 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 5. Effect of acceptance.—No employee of any employer subject to this article, nor the personal representative, surviving spouse or next of kin of any such employee shall have any right to any other method, form or amount of compensation or damages for occupational exposure to radiation, or for injury, disability, loss of service or death resulting from such exposure, arising out of and in the course of employment, or determination thereof in any manner other than as provided in this article."

Section 31. Section 6 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 6. Other remedies excluded.—The rights and remedies herein granted shall exclude all other rights and remedies of an employee, his personal representative, parent, surviving spouse, dependents or next of kin, at common law, by statute, contract, or otherwise on account of occupational exposure to radiation and on account of any injury, disability, loss of service or death resulting from occupational exposure to radiation; but nothing in this section shall be construed to relieve any person from criminal prosecution for failure or neglect to perform any duty imposed by law. Provided, however nothing herein shall be interpreted so as to deprive an employee, or in case of death, his dependents, of any rights or remedies he may have under Articles 1 and 2 of the Workmen's Compensation Act."

Section 32. Section 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, relating to effect of

election by employer or employee not to come under article, is hereby repealed.

Section 33. Section 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 11. Rights and remedies arising from prior exposures.—All exposures of the employee occurring prior to the effective date of this Act to the hazards of radiation while in the employ of the employer shall be deemed for all purposes to be subject to the provisions of this article, and the employee, his personal representative, parents, surviving spouse, dependents and next of kin, shall be entitled to compensation, or other benefits and barred from other rights and remedies as herein provided for exposures occurring after the effective date of this Act."

Section 34. Section 3 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 3. Presumption as to acceptance of provisions of article.—All contracts of employment made on or after the effective date of this article shall be presumed to have been made with reference to and subject to the provisions of this article. All contracts of employment made prior to, and existing on, the effective date of this article shall be presumed to continue from and after said date, subject to and under the provisions of this article. Every employer and every employee shall be presumed to have accepted and come under this article and the provisions thereof relating to the payment and acceptance of compensation."

Section 35. Section 4 of Act No. 668, adopted at the 1971 Regular session of the Legislature of Alabama, as last amended, relating to termination of acceptance or election not to accept, is hereby repealed.

Section 36. Section 5 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 5. Effect of acceptance.—No employee of any employer subject to this article, nor the personal representative, surviving spouse or next of kin of any such employee, shall have any right to any other method, form or amount of compensation or damages for the contraction of an occupational disease as defined in this article, or for injury, disability, loss of service or death resulting from such disease, arising out of and in the course of employment, or determination thereof in any manner other than as provided in this article."

Section 37. Section 6 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 6. Other remedies excluded.—The rights and remedies herein granted shall exclude all other rights and remedies of an employee, his personal representative, parent, surviving spouse, dependents or next of kin, at common law, by statute, contract, or otherwise on account of the contraction of an occupational disease as defined in this article and on account of any injury, disability, loss of service or death resulting from an occupational disease

as defined in this article; but nothing in this section shall be construed to relieve any person from criminal prosecution for failure or neglect to perform any duty imposed by law."

Section 38. Section 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to effect of election by employer or employee not to come under article, is hereby repealed.

Section 39. Section 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, is hereby amended to read as follows:

"Section 11. Rights and remedies arising from prior exposures.—All exposures of the employee occurring prior to the effective date of this Act to the hazards of an occupational disease as defined in this article while in the employ of the employer shall be deemed for all purposes to be subject to the provisions of this article, and the employee, his personal representative, parents, surviving spouse, dependents and next of kin, shall be entitled to compensation or other benefits and barred from other rights and remedies as herein provided for exposures occurring after the effective date of this act."

Section 40. Applicability of other Sections. It is hereby expressly affirmed that all of the provisions of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, except Section 294, shall be applicable to Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as herein amended, to Sections 3, 5, 6 and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as herein amended, and to Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as herein amended, unless otherwise provided or inconsistent herewith. Nothing in this section 46 shall be construed to affect the applicability of the provisions of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, otherwise than is herein expressly provided.

Section 41. Section 324, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"Section 324. Failure to make reports.—Any employer required under this chapter or under Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, or under Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as amended, or under Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as amended, to make reports in writing who fails to make reports within the time specified without good cause shall pay to the director of industrial relations for the benefit of the second injury trust fund the sum of twenty-five dollars. Any person required under this chapter to make reports in writing who wilfully fails to make such reports shall be guilty of a misdemeanor and on conviction may be imprisoned in the county jail or sentenced to hard labor for the county for not more than twelve months and may be fined not more than five hundred dollars."

Section 42. There is hereby appropriated to the Department of Industrial Relations out of the general fund in the State Treasury the sum of \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and the sum of \$46,000 for the fiscal year beginning October 1, 1974, and ending September 30, 1975, to be used for carrying out the pur-

pose of this Act; such appropriations to be in addition to and not in lieu of any other appropriation to the said Department.

Section 43. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 44. All laws or parts of laws which conflict with this Act are repealed.

Section 45. This Act shall become effective immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Stubbs, the substitute offered by Mr. Cauthen to the bill, H. 1273, was tabled.

Yeas 54; Nays 23.

Yeas:

Mr. Speaker	Downing	McCorquodale	Smith (K)
Adams	Drake	McDonald	Smith (P)
Agee	Easters	Merrill	Stokes
Bank	Edwards	Mims	Stubbs
Barkett	Gafford	Naramore	Turner
Bowers	Goodwin	Nettles	Turnham
Burgess	Grainger	Owens	Waggoner
Carter	Grey (D)	Parker	Waldrop
Chesnut	Headley	Reed (T)	Wallace
Connell	Hobbie	Reid (R)	Warren
Crawford	Jackson	Reynolds	Williams
Crowe	Jones (F)	Robertson	Wise
Dill	Kinsey	St. John	Wynot
Doss	Lang		

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Nays:

Messrs.:	Cottingham	Harris	McNair
Barron	Ellis	Hill	Perloff
Bassett	Erdreich	King	Slate
Carnes	Fite	Lutz	Therrell
Casey	Flippo	McBride	Weeks
Cauthen	Hardin	McMillan	Wood

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Mr. Cauthen offered the following amendment to the bill, H. 1273:

Amend H. B. 1273 by striking therefrom in its entirety Section 8 in its entirety and by renumbering each succeeding section.

AMENDMENT TABLED

On motion of Mr. Stubbs, the amendment offered by Mr. Cauthen to the bill, H. 1273, was tabled.

Yeas 49; Nays 21.

Yeas:

Mr. Speaker	Barkett	Callahan	Connell
Adams	Bowers	Chesnut	Crawford
Bank	Burgess	Collins	Crowe

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Dill	Hughes	Nettles	Stokes
Downing	Jackson	O'Daniel	Stubbs
Easters	Jones (F)	Owens	Turner
Flippo	Lang	Reid (R)	Turnham
Goodwin	McCorquodale	Reynolds	Waggoner
Grainger	McDonald	Robertson	Waldrop
Grey (D)	Merrill	St. John	Wallace
Harris	Mims	Smith (K)	Wise
Headley	Naramore	Smith (P)	Wynot
Hill			—49

Nays:

Messrs.:	Cauthen	King	Manley
Barron	Cottingham	Lutz	Perloff
Bassett	Ellis	McBride	Slate
Benton	Fite	McMillan	Therrell
Carnes	Hale	McNair	Williams
Casey	Hardin		—21

Mr. Erdreich offered the following amendment to the bill, H. 1273:

In H. B. 1273 amend Section 27 by adding after the phrase "for the employer's workmen's compensation insurance carrier" the phrase "making any safety inspection for the benefit of the employer or his employees,"

AMENDMENT TABLED

On motion of Mr. Stubbs, the amendment offered by Mr. Erdreich to the bill, H. 1273, was tabled.

Yeas 51; Nays 24.

Yeas:

Mr. Speaker	Drake	Lutz	St. John
Adams	Easters	McCorquodale	Smith (K)
Barkett	Fite	McDonald	Smith (P)
Bowers	Gafford	Mathews	Snell
Burgess	Goodwin	Meeks	Stokes
Callahan	Grainger	Merrill	Stubbs
Chesnut	Grey (D)	Mims	Turner
Collins	Harris	Naramore	Turnham
Connell	Headley	O'Daniel	Waggoner
Cottingham	Hobbie	Owens	Wallace
Crawford	Hughes	Reid (R)	Williams
Crowe	Jackson	Reynolds	Wise
Downing	Lang	Robertson	—51

Nays:

Messrs.:	Cauthen	Jones (F)	Slate
Barron	Dill	McBride	Therrell
Bassett	Doss	McMillan	Timmons
Boutwell	Edwards	McNair	Waldrop
Carnes	Erdreich	Nettles	Weeks
Carter	Hale	Perloff	Wood
Casey			—24

Mr. Waldrop offered the following amendment to the bill, H. 1273:

Amend 1273

Section 22, page 24 after phrase "at such examination, the following, provided such physician is duly licensed to practice medicine in this state in which case the employer shall be liable to such physician for his services. The employer shall pay for the service of the physician making the examination at the instance of the employee.

AMENDMENT TABLED

On motion of Mr. Stubbs, the amendment offered by Mr. Waldrop to the bill, H. 1273, was tabled.

Yeas 46; Nays 32.

Yeas:

Mr. Speaker	Easters	Manley	Slate
Adams	Gafford	Mathews	Smith (K)
Barkett	Goodwin	Meeks	Smith (P)
Bowers	Grainger	Merrill	Snell
Callahan	Grey (D)	Naramore	Stokes
Chesnut	Headley	Nettles	Stubbs
Collins	Hobbie	Owens	Turner
Connell	Hughes	Parker	Turnham
Crawford	Jackson	Reid (R)	Waggoner
Crowe	Lang	Reynolds	Williams
Dill	McCorquodale	St. John	Wise
Drake	McDonald		

—46

Nays:

Messrs.:	Casey	Fite	Perloff
Agee	Cauthen	Hale	Porter
Bank	Cottingham	Harris	Therrell
Barron	Doss	King	Waldrop
Bassett	Downing	Kinsey	Wallace
Benton	Edwards	McBride	Weeks
Burgess	Ellis	McMillan	Wood
Carnes	Erdreich	McNair	Wynot
Carter			

—32

And the bill, H. 1273, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 4.

Yeas:

Mr. Speaker	Casey	Ellis	Hobbie
Adams	Chesnut	Erdreich	Hughes
Adwell	Collins	Falkenburg	Jackson
Agee	Connell	Fite	Jones (F)
Bank	Cottingham	Flippo	King
Barkett	Crawford	Gafford	Lang
Barron	Crowe	Goodwin	Lutz
Boles	Culver	Grainger	McBride
Boutwell	Dill	Gray (F)	McCorquodale
Bowers	Doss	Grey (D)	McDonald
Burgess	Downing	Hale	McNair
Callahan	Drake	Harris	Manley
Carnes	Easters	Headley	Mathews
Carter	Edwards	Hill	Meeks

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Merrill	Reid (R)	Snell	Waldrop
Mims	Reynolds	Stokes	Wallace
Naramore	Roberts	Stubbs	Warren
Nettles	Robertson	Therrell	Weeks
O'Daniel	St. John	Timmons	Williams
Owens	Slate	Turner	Wise
Parker	Smith (K)	Turnham	Wood
Perloff	Smith (P)	Waggoner	Wynot
Reed (T)			

—89

Nays:

Messrs.:	Benton	Cauthen	Kinsey
Bassett			

—4

And the bill:

H. 1095. To provide additional judges for the Eighth Judicial Circuit of Alabama.

Was taken up.

H. 1095 INDEFINITELY POSTPONED

On motion of Mr. Slate, the bill, H. 1095, was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Grainger, the rules were suspended in order to introduce a resolution out of order.

And the following resolution was introduced:

By Mr. Grainger:

H. J. R. 173. Whereas two of the highest priorities of the State of Alabama is enhancement and protection of this State's environment and orderly, responsible industrial development;

Whereas in order to carry out the Legislative mandates expressed in the 1971 Alabama Water Pollution Control Act, the 1971 Alabama Air Pollution Control Act, and the 1969 Alabama Development Office Act persons of highest qualification and competence in Air and Water Pollution Control and Industrial Development must be recruited and retained;

Whereas intense competition among private and governmental agencies for persons skilled in the enhancement and protection of the environment and responsible industrial development makes impossible the recruitment of qualified new personnel and difficult the retention of competent personnel under present conditions, and

Whereas the proliferation of environmental control programs and industrial development programs across the nation has created and will create intense competition among those programs for the limited supply of top quality environmental technical employees and industrial development professionals that the pay rates currently applicable to such employees in Alabama fall far below the national average and below the Southeast average for such pay rates;

Therefore, Be It Resolved by the House of Representatives, the Senate concurring, that the State Personnel Board is hereby directed to perform sur-

veys of the other states within the Southeastern region to determine prevailing rates of pay for comparable environmental professional and technical personnel classifications and industrial development professional classifications. These professional and technical classifications shall be designated by the Alabama Air Pollution Control Commission, the Alabama Water Improvement Commission, the State Board of Health and the Alabama Development Office within thirty (30) days of the effective date of this resolution. Within sixty (60) days of the effective date of this resolution, the State Personnel Board shall set and maintain rates of pay for environmental professional and technical staff employees of the Alabama Water Improvement Commission, the Alabama Air Pollution Control Commission, the Environmental Health Administration of the State Department of Public Health, and industrial development professionals of the Alabama Development Office no less than the median of the prevailing rates for such employees of the Southeastern region. The State Personnel Board is also directed to biannually update rates of pay for environmental professional and technical classifications and industrial development professional classifications in the manner delineated above.

Be it further resolved that a copy of this resolution be submitted to the State Personnel Board.

On motion of Mr. Grainger, the rules were suspended and the resolution, H. J. R. 173, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 735. To provide for legislative findings, purpose, and intent, to provide for definitions; to transfer duties to the Alabama Air Pollution Control Commission and the Alabama Water Improvement Commission; to provide for personnel policies; and to provide for repeal of inconsistent laws, and an effective date.

Was taken up.

H. 735 POSTPONED

On motion of Mr. Grainger, the bill, H. 735, was postponed to the thirtieth legislative day.

And the bill:

H. 1259. To amend Section 198, Subsections C and F of Section 201, Paragraph 3 of Subsection C of Section 204, Section 207, Subsections B and C of Section 214, Subsections C and D of Section 216, Section 239 and Paragraph (1) of Subsection F of Section 240, Title 26, Chapter 4, Code of Alabama 1940, relating to appointment of an Alternate Treasurer, merging of non-profit organizations, financing unemployment benefits by political subdivisions, extending the time limit an employer may file a claim for credit for rehire, increasing the maximum weekly benefit amount, limiting disqualifications for certain separations and increasing the penalty for other separations, non-charging an employer's experience rating record, crediting the employer's experience rating record when a decision allowing benefits is reversed by an appellate authority, providing a fine for an employer failing to file a contribution report, relieving newly subject construction contractors of the require-

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ment to provide surety and permitting the requirement of surety from delinquent construction contractors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Roberts
Adams	Easters	Lutz	St. John
Agee	Edwards	McBride	Slate
Bank	Ellis	McDonald	Smith (K)
Barkett	Fite	McMillan	Smith (P)
Barron	Flippo	McNair	Snell
Bassett	Gafford	Manley	Stokes
Benton	Goodwin	Mathews	Stubbs
Boutwell	Grainger	May	Therrell
Callahan	Gray (F)	Meeks	Timmons
Carnes	Grey (D)	Merrill	Turner
Carter	Hale	Mims	Turnham
Casey	Hardin	Naramore	Waggoner
Cauthen	Harris	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Connell	Hearn	Perloff	Weeks
Cottingham	Hill	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Crowe	Jackson	Reid (R)	Wood
Dill	Jones (F)	Reynolds	Wynot
Downing	King		

—82

And the bill:

H. 1258. To amend Section 8, Title 26, Chapter 1, Code of Alabama 1940, as last amended, relating to the pay for members of the Board of Appeals of the Department of Industrial Relations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	McMillan
Adams	Cottingham	Grey (D)	McNair
Agee	Crawford	Hale	Manley
Bank	Culver	Hardin	Mathews
Barkett	Dill	Harris	May
Barron	Downing	Headley	Meeks
Bassett	Drake	Hearn	Merrill
Benton	Easters	Hughes	Mims
Boles	Edwards	Jackson	Naramore
Boutwell	Ellis	Jones (F)	O'Daniel
Callahan	Fite	King	Owens
Carnes	Flippo	Kinsey	Perloff
Carter	Gafford	Lutz	Porter
Casey	Goodwin	McBride	Pruitt
Chesnut	Grainger	McDonald	Reed (T)

Reid (R)	Smith (K)	Therrell	Wallace
Reynolds	Smith (P)	Timmons	Weeks
Roberts	Snell	Turner	Williams
Robertson	Stokes	Waggoner	Wise
St. John	Stubbs	Waldrop	Wynot
Slate			

—81

And the bill:

H. 1304. To amend Code of Alabama 1940, Title 14, Section 314 and 318 so as to redefine murder in the first degree, to eliminate the provision thereof giving the jury authority in its discretion to sentence the defendant in a murder case to death, to provide further for mandatory death sentence in certain murder cases, and to provide for and regulate automatic review by the board of pardons and paroles of all murder cases in which the defendant is sentenced to death after all judicial review of such cases and for the recommendation by said board of pardons and paroles to the Governor for the commutation of such sentences when certain mitigating circumstances surround the case.

Was taken up.

Mr. Hill offered the following amendment to the bill:

Amend Section 2 by deleting the following words in Section 318 (b), the second sentence thereof:

“by unanimous vote”

And the amendment was adopted.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Crawford	Kinsey	Reynolds
Adams	Culver	Lang	Roberts
Adwell	Doss	Lutz	Robertson
Agee	Downing	McBride	St. John
Bank	Easters	McCorquodale	Slate
Barkett	Edwards	McDonald	Smith (K)
Barron	Ellis	McMillan	Smith (P)
Bassett	Gafford	McNair	Stokes
Boutwell	Goodwin	Manley	Stubbs
Brassell	Grainger	Mathews	Therrell
Burgess	Gray (F)	May	Timmons
Callahan	Hale	Meeks	Turnham
Carnes	Hardin	Merrill	Waggoner
Carter	Harris	Mims	Waldrop
Casey	Headley	Naramore	Wallace
Cauthen	Hearn	Nettles	Warren
Chesnut	Hill	Parker	Weeks
Connell	Hobbie	Perloff	Williams
Coshatt	Hughes	Porter	Wise
Cottingham	Jackson	Pruitt	Wynot

—80

Nay: Mr. Reed (T).

—1

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MOTION TO POSTPONE TABLED

On motion of Mr. Robertson, the motion offered by Mr. Gray (F) to postpone the bill, H. 1304 as amended, to the twenty-eighth legislative day, was tabled.

Yeas 68; Nays 16.

Yeas:

Mr. Speaker	Cottingham	Hughes	Reid (R)
Adams	Crawford	Jackson	Reynolds
Adwell	Crowe	Kinsey	Roberts
Agee	Culver	Lang	Robertson
Barkett	Doss	McBride	Smith (K)
Barron	Downing	McCorquodale	Snell
Bassett	Easters	May	Stokes
Boutwell	Edwards	Meeks	Stubbs
Bowers	Ellis	Merrill	Therrell
Brassell	Gafford	Mims	Turner
Burgess	Goodwin	Naramore	Turnham
Callahan	Grey (D)	O'Daniel	Waggoner
Carter	Hardin	Owens	Wallace
Casey	Harris	Parker	Warren
Chesnut	Headley	Perloff	Weeks
Connell	Hearn	Porter	Williams
Coshatt	Hobbie	Pruitt	Wise

—68

Nays:

Messrs.:	Hill	McMillan	St. John
Carnes	King	McNair	Slate
Fite	Lutz	Manley	Wood
Gray (F)	McDonald	Nettles	Wynot
Hale			

—16

Mr. Cauthen offered the following substitute to the bill, H. 1304 as amended:

A BILL
TO BE ENTITLED
AN ACT

To provide for a sentence of death or life imprisonment without parole in certain aggravated offenses; to prescribe the manner of charging and sentencing in such cases and to eliminate lesser included offenses in such cases; to limit the maximum punishment in all other cases to life imprisonment; to provide for an effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Except in cases enumerated and described in Section 2 herein, neither a court nor a jury shall fix the punishment for the commission of treason, felony, or other offenses at death, and the death penalty or a life sentence without parole shall be fixed as punishment only in the cases and in the manner herein enumerated and described in Section 2 of this Act. In all cases where no aggravated circumstances enumerated in Section 2 are expressly averred in the indictment, the trial shall proceed as now provided by

law, except that the death penalty or life imprisonment without parole shall not be given, and the indictment shall include all lesser offenses.

Section 2. If the jury finds the Defendant guilty, they shall fix the punishment at death when the Defendant is charged by indictment with any of the following offenses and with aggravation which must also be averred in the indictment, and which offenses so charged with said aggravation shall not include any lesser offenses:

(a) Kidnapping for ransom or attempts thereof, when the victim is killed.

(b) Robbery or attempts thereof when the victim is killed.

(c) Rape when the victim is killed; carnal knowledge of a girl under 12 years of age, or abuse of such girl in an attempt to have carnal knowledge, when the victim is killed.

(d) Nighttime burglary of an occupied dwelling when any of the occupants is killed.

(e) The unlawful killing of any police officer, sheriff, deputy, state trooper, or peace officer of any kind, or prison or jail guard, while such prison or jail guard is on duty, or because of some official or job-related act or performance of such officer or guard.

(f) Any unlawful homicide committed while the Defendant is under sentence of life imprisonment.

(g) Murder in the first degree when the killing was done for a pecuniary or other valuable consideration, or pursuant to a contract or for hire.

(h) Indecent molestation, or an attempt to indecently molest a child under the age of 16, when the child victim is killed.

(i) Wilful setting off or exploding dynamite or other explosive under circumstances now punishable by Title 14, Section 123 or 124, Code of Alabama 1940, when a person is killed because of said explosion.

(j) Murder in the first degree wherein two or more human beings are killed by one or a series of acts.

(k) Murder in the first degree where the victim is a public official or public figure, and the murder stems from or is caused by or related to his official position, acts, or capacity.

(l) Murder in the first degree committed while Defendant is engaged or participating in the act of unlawfully assuming control of any aircraft by use of threats or force with intent to obtain any valuable consideration for the release of said aircraft or any passenger or crewman thereon, or to direct the route or movement of said aircraft, or otherwise exert control over said aircraft.

(m) Any unlawful homicide, except manslaughter in the second degree, committed by a Defendant who has been convicted of murder in the first or second degree in the twenty years preceding the crime.

In such cases, if the jury finds the Defendant not guilty, the Defendant must be discharged. The court may enter a judgment of mistrial upon failure of the jury to agree on a verdict of guilty or not guilty or on the fixing of the

penalty of death. After entry of a judgment of mistrial, the Defendant may be tried again for the aggravated offense, or he may be re-indicted for an offense wherein the indictment does not allege an aggravated circumstance. If the Defendant is re-indicted for an offense wherein the indictment does not allege an aggravated circumstance, the punishment upon conviction shall be as heretofore or hereafter provided by law, however the punishment shall not be death or life imprisonment without parole.

Section 3. If the jury finds the Defendant guilty of one of the aggravated offenses listed in Section 2 hereof and fixes the punishment at death, the court shall thereupon hold a hearing to aid the court to determine whether or not the court will sentence Defendant to death or to life imprisonment without parole. In the hearing evidence may be presented as to any matter that the court deems relevant to sentence, and shall include any matters relating to any of the aggravating or mitigating circumstances enumerated in Sections 6 and 7 of this Act. Any such evidence which the court deems to have probative value may be received, regardless of its admissibility under the exclusionary rules of evidence, provided that the Defendant is accorded a fair opportunity to rebut any hearsay statements; and further provided that this section shall not be construed to authorize the introduction of any evidence secured in violation of the Constitution of the United States or of the State of Alabama. The State and the Defendant, or his counsel, shall be permitted to present argument for or against the sentence of death.

Section 4. Notwithstanding the fixing of the punishment at death by the jury, the court after weighing the aggravating and mitigating circumstances may refuse to accept the death penalty as fixed by the jury and sentence the Defendant to life imprisonment without parole, which shall be served without parole;

or the court after weighing the aggravating and mitigating circumstances, and the fixing of the punishment at death by the jury, may accordingly sentence the Defendant to death. If the court imposes a sentence of death, it shall set forth in writing as the basis for the sentence of death, findings of fact from the trial and the sentence hearing which shall at least include the following:

(a) One or more of the aggravating circumstances enumerated in Section 6, which it finds exists in the case and which it finds sufficient to support the sentence of death, and

(b) Any of the mitigating circumstances enumerated in Section 7 which it finds insufficient to outweigh the aggravating circumstances.

Section 5. The judgment of conviction and sentence of death shall be subject to automatic review as now required by law.

Section 6. Aggravating circumstances. Aggravating circumstances shall be the following:

(a) The capital felony was committed by a person under sentence of imprisonment;

(b) The Defendant was previously convicted of another capital felony or a felony involving the use or threat of violence to the person;

(c) The Defendant knowingly created a great risk of death to many persons;

(d) The capital felony was committed while the Defendant was engaged or was an accomplice in the commission of, or an attempt to commit, or flight after committing, or attempting to commit, rape, robbery, burglary, or kidnapping for ransom;

(e) The capital felony was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.

(f) The capital felony was committed for pecuniary gain;

(g) The capital felony was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws;

(h) The capital felony was especially heinous, atrocious or cruel.

Section 7. Mitigating circumstances. Mitigating circumstances shall be the following:

(a) The Defendant has no significant history of prior criminal activity;

(b) The capital felony was committed while the Defendant was under the influence of extreme mental or emotional disturbance;

(c) The victim was a participant in the Defendant's conduct or consented to the act;

(d) The Defendant was an accomplice in the capital felony committed by another person and his participation was relatively minor;

(e) The Defendant acted under extreme duress or under the substantial domination of another person;

(f) The capacity of the Defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired;

(g) The age of the Defendant at the time of the crime.

Section 8. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law, and shall be effective and applicable to all offenses committed after the date of its becoming law.

MOTION TO TABLE LOST

The motion offered by Mr. Robertson to table the substitute offered by Mr. Cauthen to the bill, H. 1304 as amended, was lost.

Yeas 39; Nays 40.

Yeas:

Mr. Speaker
Adams
Agee
Bank
Barkett

Brassell
Burgess
Callahan
Connell
Coshatt

Crawford
Crowe
Culver
Dill
Downing

Easters
Gafford
Goodwin
Grainger
Grey (D)

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Hardin	Lang	Owens	Snell	
Hearn	McCorquodale	Porter	Stokes	
Hobbie	May	Reynolds	Turnham	
Hughes	Naramore	Robertson	Waggoner	
Kinsey	O'Daniel	Smith (K)		—39

Nays:

Messrs.:	Ellis	McNair	Slate	
Barron	Fite	Manley	Smith (P)	
Bassett	Hale	Mathews	Stubbs	
Benton	Headley	Meeks	Therrell	
Bowers	Jackson	Merrill	Turner	
Carnes	Jones (F)	Nettles	Waldrop	
Carter	Lutz	Perloff	Warren	
Casey	McBride	Pruitt	Weeks	
Cauthen	McDonald	Roberts	Wise	
Chesnut	McMillan	St. John	Wood	
Cottingham				—40

The question was then on the substitute offered by Mr. Cauthen to the bill, H. 1304 as amended, and the substitute was adopted.

Yeas 57; Nays 29.

Yeas:

Messrs.:	Culver	McDonald	St. John	
Adwell	Dill	McMillan	Slate	
Bank	Doss	Manley	Smith (K)	
Barron	Downing	Mathews	Smith (P)	
Bassett	Ellis	Meeks	Stokes	
Benton	Grainger	Merrill	Stubbs	
Bowers	Hale	Mims	Therrell	
Carnes	Hardin	Nettles	Timmons	
Carter	Headley	Owens	Turner	
Casey	Hearn	Parker	Waldrop	
Cauthen	Hill	Perloff	Warren	
Chesnut	Jackson	Pruitt	Weeks	
Cottingham	Jones (F)	Roberts	Wise	
Crawford	Lutz	Robertson	Wood	
Crowe	McBride			—57

Nays:

Mr. Speaker	Callahan	Goodwin	May	
Adams	Collins	Grey (D)	Naramore	
Agee	Connell	Hobbie	O'Daniel	
Barkett	Easters	Hughes	Porter	
Boles	Fite	Kinsey	Reynolds	
Boutwell	Flippo	Lang	Snell	
Brassell	Gafford	McCorquodale	Waggoner	
Burgess				—29

MOTION TO ADJOURN

Mr. McNair moved that the House adjourn until 11:00 o'clock a.m., Tuesday, August 7, 1973.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Stokes that the House adjourn until 2:00 o'clock p.m., Tuesday, August 7, 1973, was lost.

Yeas 17; Nays 74.

Yeas:

Messrs.:	Easters	Mathews	Slate
Barkett	Fite	Perloff	Therrell
Carter	Gray (F)	Pruitt	Williams
Casey	McNair	Roberts	Wood
Dill	Manley		

—17

Nays:

Mr. Speaker	Crawford	Jackson	Reid (R)
Adams	Crowe	Jones (F)	Reynolds
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Barron	Downing	Lang	Smith (K)
Bassett	Edwards	Lutz	Smith (P)
Benton	Ellis	McBride	Snell
Boles	Flippo	McCorquodale	Stokes
Boutwell	Gafford	McMillan	Stubbs
Bowers	Goodwin	May	Timmons
Burgess	Grainger	Meeks	Turner
Callahan	Grey (D)	Merrill	Turnham
Carnes	Hale	Mims	Waggoner
Cauthen	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Collins	Hearn	O'Daniel	Warren
Connell	Hill	Owens	Weeks
Coshatt	Hobbie	Parker	Wise
Cottingham	Hughes		

—74

MOTION TO ADJOURN LOST

The question was then on the motion offered by Mr. McNair that the House adjourn until 11:00 o'clock a.m., Tuesday, August 7, 1973, and the motion was lost.

Yeas 12; Nays 77.

Yeas:

Messrs.:	Falkenburg	McNair	Reynolds
Dill	Fite	Manley	Slate
Downing	Gray (F)	Perloff	Therrell
Erdreich			

—12

Nays:

Mr. Speaker	Boles	Chesnut	Edwards
Adams	Boutwell	Collins	Ellis
Adwell	Bowers	Connell	Flippo
Agee	Burgess	Coshatt	Gafford
Bank	Callahan	Cottingham	Goodwin
Barron	Carnes	Crawford	Grainger
Bassett	Carter	Crowe	Grey (D)
Benton	Cauthen	Culver	Hale

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Hardin	McBride	Parker	Stubbs
Headley	McCorquodale	Porter	Timmons
Hearn	McMillan	Pruitt	Turner
Hill	May	Reid (R)	Turnham
Hobbie	Meeks	Roberts	Waggoner
Hughes	Merrill	Robertson	Waldrop
Jackson	Mims	St. John	Warren
Jones (F)	Naramore	Smith (K)	Weeks
King	Nettles	Smith (P)	Williams
Kinsey	O'Daniel	Snell	Wise
Lang	Owens	Stokes	Wood
Lutz			

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MOTION TO POSTPONE LOST

The motion offered by Mr. Reed (T) to indefinitely postpone the bill, H. 1304 as amended, was lost.

Yeas 6; Nays 80.

Yeas:

Messrs.:	Benton	Gray (F)	Reed (T)
Bank	Fite	McNair	—6

Nays:

Mr. Speaker	Cottingham	Jackson	Reynolds
Adams	Crawford	Kinsey	Roberts
Agee	Crowe	Lang	Robertson
Bank	Culver	Lutz	St. John
Barkett	Dill	McBride	Slate
Barron	Doss	McCorquodale	Smith (K)
Bassett	Downing	McMillan	Smith (P)
Boles	Easters	Mathews	Snell
Bowers	Edwards	May	Stokes
Brassell	Ellis	Meeks	Stubbs
Burgess	Gafford	Merrill	Therrell
Callahan	Goodwin	Mims	Timmons
Carnes	Grainger	Naramore	Turner
Carter	Grey (D)	Nettles	Turnham
Casey	Hale	O'Daniel	Waggoner
Cauthen	Hardin	Owens	Waldrop
Chesnut	Headley	Perloff	Warren
Collins	Hearn	Porter	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Hughes	Reid (R)	Wise

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 299. To provide for the regulation by the Board of Education in counties with a population not less than 14,000 and not more than 15,000, according to the most recent federal decennial census, of the salary of the Superintendent of Education of such counties; establishing a maximum and minimum salary; establishing compensation for Board of Education members; to provide for retroactive effect.

Also:

S. 360. Relating to Wilcox County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 361. To repeal Act No. 216, H. 560, 1951 Regular Session (Acts, 1951, p. 487) entitled "An Act To create the office of County Solicitor of Wilcox County, Alabama; to fix the qualifications of the County Solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps."

Also:

S. 391. Relating to Conecuh County to provide for the elimination of the final record from criminal cases in the county court; and to allow the original file and docket sheet of said court to stand as the final record.

Also:

S. 392. Relating to Monroe County, to provide for an additional expense allowance for the members of the Monroe County Board of Registrars.

Also:

S. 401. To permit any bank now or hereafter having an authorized office or place of business in Hartselle, Alabama to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

Also:

S. 403. To provide that the County Commission of Morgan County, Alabama shall consist of a Chairman and four other members and that the Chairman shall be a resident of Morgan County, Alabama and that one member of the Commission shall be a resident of District 1, that one member of the Commission shall be a resident of District 2, that one member of the Commission shall be a resident of District 3 and that one member of the Commission shall be a resident of District 4 and that the Chairman and the members of the Commission presently in office shall continue in office for the respective terms for which they were elected and that members of the Commission residing in Districts 1 and 2 shall be elected at the general election to be held in November, 1974 and every four years thereafter, and that members of the Commission who are residents of District 3 and District 4 shall be elected at the general election to be held in November, 1974 and every four years thereafter and that the Chairman shall be elected at the general election in November, 1974 and every six years thereafter and to prescribe the times when the Chairman and members shall take office and that at any primary election at which candidates for nomination to the office of Chairman of the Commission and members of the Commission are made and at any general election at which the Chairman and members of the Commission are to be elected, the qualified electors of Morgan County shall be entitled to vote, and to prescribe the qualifications of the Chairman and members of the

Commission and for the vacation of the office of any member of the Commission other than the Chairman, if he shall cease to be a resident of the District in which he resided at the time of his election and for the appointment of his successor and for a successor in the event of a vacancy for any other cause, and to provide for the severability of the provisions of this Act and to repeal all laws in conflict with this Act to the extent of such conflict and to provide when this Act shall become effective.

Also:

S. 405. To apply only in counties having populations of not less than 15,400 nor more than 15,625; providing an additional expense allowance for the register in chancery of such counties.

Also:

S. 422. To permit any bank now or hereafter having an office or place of business in Fort Payne, Alabama, to establish, maintain and operate additional offices or places of business in such city, with the approval of the Superintendent of Banks.

Also:

S. 171. To provide additional compensation for each of the official court reporters of the Ninth Judicial Circuit.

Also:

S. 225. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE¼, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Also:

S. 271. Relating to Franklin County; further regulating the number and compensation of deputy sheriffs; and, providing retroactive effect for certain provisions of the act.

Also:

S. 431. Relating to Morgan County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

Also:

S. 432. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the chairman and each member of the county commission.

Also:

S. 433. Relating to all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Also:

S. 441. To provide for a clerk and deputy clerk for the Board of Registrars of all counties with a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

Also:

S. 480. Relating to counties having a population of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

S. 481. Relating to Covington County, Alabama, providing for allowances to the Sheriff of Covington County, Alabama, for feeding prisoners, preparing and serving food and other services incident to the feeding of prisoners in the county jails of Covington County, Alabama; providing that such allowances shall not be paid into the Treasury of Covington County, Alabama; and further providing that the payment of such allowances be retroactive to January 18, 1971.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 6. Applying to the Congress for a convention to propose an amendment to the Constitution of the United States.

Also:

S. J. R. 77. Commending Mr. James Haywood and thanking him and others for the Jacksonville State University Luau.

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Also:

S. 273. To amend Title 22, Section 199 and 199(1) relating to the system of care for tuberculosis patients.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 172. Relative to adjournment of the two Houses.

McDOWELL LEE,
Secretary.

H. 1304 RESUMED

Mr. Gray (F) offered the following amendment to the bill, H. 1304 as amended:

At the end of Sec. 7 add the following:

That whenever a person is sentenced to death under the terms of this act, and after all appeals have been denied and commutation denied, the Foreman of the Jury who convicted the defendant and set the death penalty, shall be invited to turn the switch at the defendant's execution.

AMENDMENT TABLED

On motion of Mr. Robertson, the amendment offered by Mr. Gray (F) to the bill, H. 1304 as amended, was tabled.

Yeas 68; Nays 6.

Yeas:

Mr. Speaker	Carter	Downing	Hughes
Adams	Casey	Edwards	Jackson
Adwell	Cauthen	Ellis	Kinsey
Agee	Chesnut	Gafford	Lang
Bank	Connell	Goodwin	McBride
Barron	Coshatt	Grainger	McCorquodale
Bassett	Crawford	Hale	Mathews
Bowers	Crowe	Hardin	May
Brassell	Culver	Headley	Meeks
Burgess	Dill	Hearn	Merrill
Callahan	Doss	Hobbie	Mims

Naramore	Porter	Slate	Turnham
Nettles	Pruitt	Snell	Waggoner
O'Daniel	Reynolds	Stokes	Warren
Owens	Roberts	Stubbs	Weeks
Parker	Robertson	Therrell	Wise
Perloff	St. John	Turner	Wood

—68

Nays:

Messrs.:	Fite	Grey (D)	Smith (P)
Carnes	Gray (F)	McMillan	

—6

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Grainger moved to reconsider the vote by which the substitute offered by Mr. Cauthen to the bill, H. 1304 as amended, was adopted, and the motion was adopted.

MOTION TO TABLE LOST

The motion of Mr. Cauthen to table the motion offered by Mr. Grainger, was lost.

Yeas 32; Nays 52.

Yeas:

Messrs.:	Doss	Manley	Smith (P)
Barron	Ellis	Mathews	Therrell
Bassett	Gray (F)	Meeks	Turner
Benton	Hale	Nettles	Waldrop
Bowers	Hill	Perloff	Warren
Carnes	Jackson	Roberts	Weeks
Casey	McBride	St. John	Wise
Cauthen	McMillan	Slate	Wood
Chesnut			

—32

Nays:

Mr. Speaker	Coshatt	Grey (D)	O'Daniel
Adams	Cottingham	Hardin	Owens
Adwell	Crawford	Headley	Porter
Agee	Crowe	Hearn	Reynolds
Barkett	Culver	Hobbie	Robertson
Boles	Dill	Hughes	Smith (K)
Boutwell	Downing	Jones (F)	Snell
Brassell	Easters	Kinsey	Stokes
Burgess	Edwards	Lang	Stubbs
Callahan	Fite	McCorquodale	Timmons
Carter	Gafford	May	Turnham
Collins	Goodwin	Merrill	Waggoner
Connell	Grainger	Naramore	Wallace

—52

MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Mr. Grainger to reconsider the vote by which the substitute offered by Mr. Cauthen to the bill, H. 1304 as amended, was adopted, and the motion was adopted.

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Yeas 46; Nays 37.

Yeas:

Mr. Speaker	Connell	Hearn	Owens
Adams	Coshatt	Hobbie	Parker
Adwell	Crawford	Hughes	Reynolds
Agee	Crowe	Jones (F)	Robertson
Barkett	Culver	Kinsey	Smith (K)
Boles	Dill	Lang	Snell
Boutwell	Easters	McCorquodale	Timmons
Brassell	Gafford	May	Turnham
Burgess	Goodwin	Merrill	Waggoner
Callahan	Grainger	Naramore	Wallace
Carter	Grey (D)	O'Daniel	Wynot
Collins	Hardin		

—46

Nays:

Messrs.:	Cottingham	McMillan	Smith (P)
Bank	Doss	McNair	Stokes
Barron	Downing	Mathews	Therrell
Bassett	Edwards	Meeks	Turner
Benton	Ellis	Nettles	Waldrop
Bowers	Fite	Perloff	Warren
Carnes	Gray (F)	Roberts	Weeks
Casey	Hale	St. John	Wise
Cauthen	Hill	Slate	Wood
Chesnut	McBride		

—37

MOTION TO ADJOURN LOST

The motion offered by Mr. Slate that the House adjourn until 1:00 o'clock p.m., Tuesday, August 7, 1973, was lost.

Yeas 20; Nays 67.

Yeas:

Messrs.:	Dill	Hearn	Reynolds
Barkett	Easters	McNair	Slate
Benton	Erdreich	Manley	Therrell
Boutwell	Fite	Parker	Weeks
Carter	Gray (F)	Perloff	Wood
Casey			

—20

Nays:

Mr. Speaker	Collins	Goodwin	Kinsey
Adams	Connell	Grainger	Lang
Adwell	Coshatt	Grey (D)	Lutz
Agee	Cottingham	Hale	McBride
Barron	Crawford	Hardin	McMillan
Bassett	Culver	Headley	May
Boles	Doss	Hill	Meeks
Burgess	Downing	Hobbie	Merrill
Callahan	Ellis	Hughes	Mims
Carnes	Falkenburg	Jackson	Naramore
Cauthen	Flippo	Jones (F)	Nettles
Chesnut	Gafford	King	O'Daniel

Owens
Reid (R)
Roberts
Robertson
St. JohnSmith (K)
Smith (P)
Snell
Stokes
StubbsTimmons
Turner
Turnham
Waggoner
WaldropWallace
Warren
Wise
Wynot

—67

H. 1304 RESUMED

The question was then on the reconsideration of the substitute offered by Mr. Cauthen to the bill, H. 1304 as amended.

SUBSTITUTE TABLED

On motion of Mr. Robertson, the substitute was tabled.

Yeas 43; Nays 39.

Yeas:

Mr. Speaker
Adams
Barkett
Brassell
Burgess
Callahan
Carter
Chesnut
Collins
Connell
CoshattCrawford
Crowe
Culver
Dill
Doss
Downing
Easters
Gafford
Goodwin
Grainger
Grey (D)Hardin
Hobbie
Hughes
Jones (F)
Kinsey
Lang
McCorquodale
May
Merrill
Naramore
O'DanielOwens
Porter
Reynolds
Robertson
Smith (K)
Snell
Stokes
Timmons
Turnham
Waggoner

—43

Nays:

Messrs.:
Agee
Bank
Barron
Bassett
Benton
Bowers
Carnes
Casey
CauthenCottingham
Ellis
Fite
Gray (F)
Hale
Headley
Jackson
Lutz
McBride
McMillanMcNair
Mathews
Meeks
Mims
Nettles
Parker
Perloff
Pruitt
Roberts
St. JohnSlate
Smith (P)
Stubbs
Therrell
Turner
Waldrop
Warren
Weeks
Wise
Wood

—39

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 57 "Condemning the manner in which the Tuskegee syphilis study was conducted, requesting an end thereto and demanding that the participants be compensated by the United States Government."

Also:

H. J. R. 132 Condemning proposed federal rules and regulations to protect the common crow.

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Also:

H. J. R. 133 Regarding rotating the command of the 30th army division.

Also:

H. J. R. 134 Deploing the system of applying birth control methods without proper information.

Also:

H. J. R. 141 Establishing a top priority goal of proficiency in reading for education in Alabama.

Also:

H. J. R. 148 Expressing appreciation to Auburn University for its efforts in Experimental Public Technology.

Also:

H. J. R. 12 Opposing amnesty for deserters from the armed forces of the United States.

McDOWELL LEE,
Secretary.

H. 1304 RESUMED

And the bill, H. 1304, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 7.

Yeas:

Mr. Speaker	Cottingham	Hughes	Pruitt
Adams	Crawford	Jackson	Reynolds
Adwell	Crowe	Kinsey	Robertson
Bank	Culver	Lang	St. John
Barkett	Doss	McBride	Slate
Barron	Downing	McCorquodale	Smith (K)
Bassett	Easters	McMillan	Snell
Boles	Edwards	Manley	Stokes
Bowers	Ellis	Mathews	Stubbs
Brassell	Flippo	May	Timmons
Burgess	Goodwin	Meeks	Turner
Callahan	Grainger	Merrill	Turnham
Carnes	Grey (D)	Mims	Waggoner
Carter	Hale	Naramore	Warren
Casey	Hardin	Nettles	Weeks
Chesnut	Headley	O'Daniel	Williams
Collins	Hearn	Owens	Wise
Connell	Hill	Parker	Wood
Coshatt	Hobbie	Porter	

—75

Nays:

Messrs.:	Benton	Fite	McNair
Agee	Cauthen	Gray (F)	Perloff

—7

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Gafford for the Journal to show him voting "Yea" on the bill, H. 1304 as amended.

RESOLUTION

The following resolution was introduced:

By Messrs. Drake, St. John and McDonald:

H. J. R. 174. CHANGING THE NAME OF THE GEORGE C. WALLACE TRADE SCHOOL OF CULLMAN COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Cullman, now designated as the George C. Wallace Trade School of Cullman County, shall be hereafter designated and known as the George C. Wallace State Technical Community College.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

The resolution, H. J. R. 174, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a Message From the Governor, returning House Bill No. 308, with a suggested Executive Amendment.

Respectfully submitted,
HARRY L. PENNINGTON
Executive Secretary

Done this 2nd day of August 1973.

To The House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 308, without my approval and with a suggested Executive Amendment.

It is suggested that the Senate Substitute of House Bill No. 308, and all amendments thereto, be deleted.

It is further suggested that Section 4 of House Bill No. 308 be amended to read as follows:

"Section 4. Board of Directors of Authority. Such authority formed under this subdivision shall constitute a public benefit agency of the state of Alabama and shall have a board of directors of seven members who shall be residents of the state of Alabama. The county commission, or other like governing body of the county, will appoint one member to the authority from each of the five commissioner districts as now constituted. The other two members of the authority shall be appointed by the county commission, or other like governing body, from the county at large. All appointments to the authority shall be by majority vote of the county commission, or other like governing body of the county. All appointments to the authority made prior to the passage of the Act are hereby cancelled, but the county commission, or other like governing body of the county, may appoint or reappoint anyone, including previous appointees, as long as they meet the residency requirements herein set forth. Such board of directors shall constitute the governing body of the authority. The members of said board of directors shall serve without compensation, except they shall be reimbursed for actual expenses incurred in and about the performance of their duties hereunder. No member of the board of directors shall be an officer of the county. The directors so appointed and all subsequent directors shall be elected by a majority of the governing body of the county and they shall be so elected that they shall hold office for staggering terms. For the purpose of so staggering the terms, the directorships shall be numbered one through seven inclusive. The first term of office of each director shall be for a number of years corresponding to the number of the directorship which he holds; and, thereafter, the term of office of each director shall be seven years. Any person appointed to any vacant directorship during any term of such directorship shall be deemed appointed for the remainder of such term; provided that if any person be appointed to any vacant directorship during the last six months of any term of such directorship, he shall be deemed appointed for the remainder of such term and for the next succeeding term of such directorship. The incumbent of a directorship may be removed from the board of directors by the commission or other governing body of the county for inefficiency, neglect of duty or malfeasance after a fair hearing or opportunity therefor. Every appointment or removal of a director shall be by resolution of the commission or other governing body of the county. A chairman and vice-chairman of said authority shall be elected by the authority from among its members, and a secretary shall be appointed, who may be or may not be a member of said board. In the absence or incapacity of the chairman, the vice-chairman shall serve as chairman and may perform such acts and duties as the chairman is authorized to perform. The power of said authority shall be vested in and exercised by the majority of the members of the authority then in office. The said authority may delegate to one or more of its members or its officers, agents and employees such power and duties as it may deem proper, and shall appoint a treasurer, who may or may not be a member of the authority, to act as custodian of all of the funds, from whatever source derived, received by said authority, and shall deposit said monies in a separate account or accounts in one or more banks or trust companies which are duly qualified and doing business in the state of Alabama; provided, however, the authority may by resolution or by trust indenture securing the issuance of bonds herein authorized designate a fiscal agent or trustee, which shall be a bank or trust company duly qualified to do business in the state of Alabama, and may authorize such fiscal agent or trustee to receive and disburse, upon such terms and conditions (and subject to such exceptions, if any) as may be specified in such resolution or trust inden-

ture, all funds applicable to payment of said bonds. All such banks and trust companies are authorized to give security for monies deposited with it."

The foregoing suggested Executive Amendment, if adopted, will remove my objections to the bill.

Respectfully,

GEORGE C. WALLACE

Governor of Alabama

Done this 2nd day of August 1973.

GOVERNOR'S MESSAGE

On motion of Mr. Snell, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 308, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crawford	Kinsey	Reynolds
Adams	Crowe	Lang	Roberts
Adwell	Culver	Lutz	Robertson
Agee	Dill	McBride	St. John
Bank	Downing	McMillan	Smith (K)
Barkett	Easters	McNair	Smith (P)
Barron	Edwards	Manley	Snell
Bassett	Ellis	May	Stubbs
Benton	Fite	Meeks	Timmons
Boles	Goodwin	Merrill	Turner
Boutwell	Grainger	Mims	Turnham
Bowers	Gray (F)	Naramore	Waggoner
Brassell	Grey (D)	O'Daniel	Waldrop
Burgess	Hale	Owens	Wallace
Callahan	Hardin	Parker	Warren
Carnes	Hearn	Perloff	Weeks
Carter	Hill	Porter	Williams
Chesnut	Hobbie	Pruitt	Wise
Connell	Hughes	Reed (T)	Wood
Coshatt	Jackson	Reid (R)	Wynot
Cottingham	King		

—82

Which was a majority of the whole number elected to the House.

And the bill:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such

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authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; and to provide penalties and residency requirements for officers and employees of authorities, commissions, chambers, and committees.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson	Reynolds
Adams	Crowe	King	Roberts
Adwell	Culver	Kinsey	Robertson
Agee	Dill	Lang	St. John
Bank	Doss	Lutz	Smith (K)
Barkett	Downing	McBride	Smith (P)
Barron	Easters	McMillan	Snell
Bassett	Edwards	McNair	Stokes
Benton	Ellis	Manley	Stubbs
Boles	Fite	May	Timmons
Boutwell	Goodwin	Meeks	Turner
Bowers	Grainger	Merrill	Turnham
Brassell	Gray (F)	Mims	Waggoner
Burgess	Grey (D)	Naramore	Waldrop
Callahan	Hale	O'Daniel	Wallace
Carnes	Hardin	Owens	Warren
Carter	Headley	Perloff	Weeks
Chesnut	Hearn	Porter	Williams
Connell	Hill	Pruitt	Wise
Coshatt	Hobbie	Reed (T)	Wood
Cottingham	Hughes	Reid (R)	Wynot

—84.

Which was a majority of the whole number elected to the House.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1405. To provide that any person in this state at the arrival at the age of eighteen years shall be relieved of their disabilities of minority.

Was taken up.

Mr. Hill offered the following amendment to the bill:

Add at the end of Section 1 the following: Provided, however, nothing in this act shall be deemed to repeal any provision of Act No. 335, H. 281, Third Special Session 1971 (Acts 1971, p. 4622).

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment offered by Mr. Hill was tabled.

Yeas 46; Nays 21.

Yeas:

Mr. Speaker	Crowe	Hobbie	Perloff
Adams	Culver	King	Pruitt
Agee	Dill	Kinsey	Reid (R)
Bank	Downing	McBride	Reynolds
Barron	Edwards	McNair	Snell
Boles	Erdreich	Manley	Stubbs
Bowers	Fite	Merrill	Therrell
Brassell	Goodwin	Naramore	Turnham
Burgess	Grainger	O'Daniel	Waggoner
Collins	Grey (D)	Owens	Williams
Connell	Hardin	Parker	Wynot
Crawford	Hearn		

—46

Nays:

Messrs.:	Gray (F)	May	Slate
Boutwell	Hale	Meeks	Stokes
Carnes	Hill	Nettles	Timmons
Carter	Jackson	Porter	Turner
Chesnut	Lang	St. John	Warren
Doss	Lutz		

—21

**REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 133. Urging the Secretary of the Army to rotate the command of the 30th Army Division between the States of Alabama, Mississippi and Tennessee.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

H. 1405 RESUMED

And the bill, H. 1405, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 25.

Yeas:

Mr. Speaker	Burgess	Downing	Hearn
Adams	Callahan	Erdreich	Jackson
Adwell	Carter	Falkenburg	King
Agee	Casey	Fite	McMillan
Bank	Cauthen	Goodwin	McNair
Benton	Chesnut	Grainger	Manley
Boles	Coshatt	Gray (F)	Merrill
Boutwell	Crowe	Grey (D)	Naramore
Bowers	Culver	Hale	Nettles
Brassell	Dill	Hardin	Parker

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Perloff	Roberts	Snell	Turnham
Porter	St. John	Stokes	Waggoner
Pruitt	Slate	Therrell	Waldrop
Reid (R)	Smith (P)	Timmons	Williams
Reynolds			—57

Nays:

Messrs.:	Doss	Lutz	Mims
Barron	Edwards	McBride	Stubbs
Bassett	Ellis	McCorquodale	Turner
Carnes	Gafford	Mathews	Wallace
Connell	Hill	May	Warren
Cottingham	Hughes	Meeks	Wynot
Crawford	Lang		—25

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all those voting "Yea" on the bill, H. 1405, to have their names added as co-sponsors, and for all those voting "Nay" to have their names removed as co-sponsors to the bill, H. 1405.

MOTION TO ADJOURN LOST

The motion offered by Mr. Culver that the House adjourn until 1:00 o'clock p.m., Tuesday, August 7, 1973, was lost.

Yeas 22; Nays 42.

Yeas:

Messrs.:	Carter	Fite	Slate
Agee	Connell	Goodwin	Smith (K)
Bank	Cottingham	Manley	Therrell
Benton	Culver	May	Turner
Boutwell	Dill	Perloff	Weeks
Burgess	Downing	Reynolds	—22

Nays:

Mr. Speaker	Gafford	Lutz	Owens
Adams	Grainger	McBride	Parker
Adwell	Grey (D)	McCorquodale	Porter
Barron	Hale	McMillan	St. John
Bassett	Hardin	McNair	Snell
Callahan	Headley	Mathews	Stokes
Carnes	Hill	Merrill	Stubbs
Casey	Jones (F)	Mims	Turnham
Chesnut	King	Naramore	Waldrop
Crowe	Kinsey	Nettles	Warren
Ellis	Lang		—42

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 321. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendment to the bill, H. 321, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1974, and September 30, 1975, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property des-

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cribed in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature, For the fiscal year ending September 30, 1974		1,400,000.00
For the fiscal year ending September 30, 1975		2,650,000.00
(2) For the printing of Legislative Acts and Journals		100,000.00
(3) For Legislative Council expenses ..		25,000.00
(4) LEGISLATIVE REFERENCE SERVICE		
For the fiscal year ending September 30, 1974		
For salary of the Director	20,000.00	
For other salaries	184,050.00	
For other expenses	18,850.00	
For equipment purchases	2,100.00	
Total		225,000.00
For the fiscal year ending September 30, 1975:		
For salary of the Director	20,000.00	
For other salaries	233,250.00	
For other expenses	19,650.00	
For equipment purchases	2,100.00	
Total		275,000.00
Commission on Intergovernmental Cooperation:		
For salaries	15,000.00	
For other expenses	10,000.00	
Total		25,000.00
Code Revision:		
For salaries and expenses, Est.		10,000.00

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(5) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:

For the fiscal year ending September 30, 1974:

For the salary of the Chief Examiner	19,800.00
For the salary of the Assistant Chief Examiner	18,800.00
For other salaries	1,367,800.00
For other expenses	326,300.00
For equipment purchases	5,300.00
For automotive equipment purchases	4,000.00

Total	1,742,000.00
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For fiscal year ending September 30, 1975:

For the salary of the Chief Examiner	19,800.00
For the salary of the Assistant Chief Examiner	18,800.00
For other salaries	1,477,600.00
For other expenses	342,800.00
For equipment purchases	4,000.00
For automotive equipment purchases	26,000.00

Total	1,889,000.00
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II. JUDICIAL:

(1) THE SUPREME COURT:

For the fiscal year ending September 30, 1974:

For the salaries of the Chief Justice and eight Associate Justices	202,500.00
For the salary of Clerk of Court, Est.	20,475.00
For the salary of Reporter of Decisions, Est.	18,018.00
For the salaries of Law Clerks, Est.	100,152.00
For other salaries	319,515.00
For other expenses	54,310.00
For equipment purchases	14,100.00
For automotive equipment purchases	15,200.00
For printing Alabama Reports, Est.	11,600.00
For Advisory Committee Work ..	5,000.00
For administrative fund	2,500.00

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For Consultant Study (Match Federal Fund)	2,500.00	
For Judicial Education	5,000.00	
For Court of Reporting, Court Proceedings	1,000.00	
For Judicial Conference	9,000.00	
Total		780,870.00

For the fiscal year ending September 30, 1975:

For the salaries of the Chief Justice and eight Associate Justices	202,500.00	
For the salary of Clerk of Court, Est.	20,475.00	
For the salary of Reporter of Decisions, Est.	18,018.00	
For the salaries of Law Clerks, Est.	100,152.00	
For other salaries	319,515.00	
For other expenses	58,060.00	
For equipment purchases	14,100.00	
For automotive equipment purchases	18,416.00	
For printing Alabama Reports, Est.	11,600.00	
For Advisory Committee Work ..	5,000.00	
For administrative fund	2,500.00	
For Consultant Study (Match Federal Fund)	2,500.00	
For Judicial Education	5,000.00	
For Court of Reporting, Court Proceedings	1,000.00	
For Judicial Conference	9,000.00	
Total		787,836.00

For the Supreme Court Library Fund	75,000.00
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(2) COURT OF CRIMINAL APPEALS:

For salaries of the five Judges	110,000.00	
For salary of Clerk of Court, Est.	20,475.00	
For salaries of Law Clerks, Est. ...	55,640.00	
For other salaries	101,829.00	
For other expenses	24,056.00	
For equipment purchases	5,000.00	
For printing Appellate Court Reports, Est.	7,000.00	
Total		324,000.00

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(3) COURT OF CIVIL APPEALS:

For the fiscal year ending September 30, 1974:		
For salaries of three judges	66,000.00	
For the salaries of Law Clerks	33,384.00	
For other salaries	59,774.00	
For other expenses	12,222.00	
For equipment and book purchases	7,620.00	
For printing Appellate Court Reports, Est.	7,000.00	
Total		186,000.00
For the fiscal year ending September 30, 1975:		
For salaries of three Judges	66,000.00	
For the salaries of Law Clerks	33,384.00	
For other salaries	59,774.00	
For other expenses	12,642.00	
For equipment and book purchases	5,200.00	
For printing Appellate Court Reports, Est.	7,000.00	
Total		184,000.00

(4) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, estimated ..	1,530,000.00
For travel expenses of circuit judges, estimated	17,500.00
For College of Trial Judges as provided in Act No. 730, 1967 Regular Session	9,000.00
For telephone service, stationery, stamps, books, equipment purchases and necessary office supplies for the office use of circuit judges	30,000.00
For the salaries and travel expenses of special judges, estimated	13,500.00
For salaries of District Attorneys, estimated	675,000.00
For salary of the elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	8,500.00
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00

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For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00	
For the salaries of the Second and Third Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00	
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	20,000.00	
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, estimated	17,000.00	
For the salaries of the Deputy District Attorneys of the 6th Judicial Circuit	6,750.00	
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00	
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	6,900.00	
For the salaries of the Deputy District Attorneys of the 13th Judicial Circuit, Estimated	39,625.00	
For the salaries of the Deputy District Attorneys of the 15th Judicial Circuit	29,800.00	
For the salaries of the Deputy District Attorneys of the 16th Judicial Circuit	6,000.00	
For the salaries of the Deputy District Attorneys of the 23rd Judicial Circuit	31,000.00	
For the salaries of the Deputy District Attorneys of the 26th Judicial Circuit	13,000.00	
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00	
For the salaries of the Deputy District Attorneys of the 31st Judicial Circuit	4,200.00	
Total		206,175.00
For salaries of Deputy District Attorneys to be distributed among the circuits not hereinabove provided for on a for-		

mula of \$3,600.00 per year for each Circuit Judge in such Circuits, estimated	153,000.00
(Provided however that none of this appropriation shall be ex- pended until legislation is en- acted that will enable these circuits to receive such sums.)	
For the travel expenses of Dis- trict Attorneys, estimated	18,000.00
For the salary of the stenograph- ic secretary of the 6th Judicial Circuit	1,200.00
For telephone service, station- ery, stamps, and necessary of- fice supplies for the office use of District Attorneys, deputy District Attorneys or Assistants	30,000.00
(Provided, however, that none of this appropriation shall be ex- pended for books and equip- ment purchases.)	
For the salaries of Public De- fenders as provided by Act No. 1158, 1969 Regular Session	17,000.00
For salary of supernumerary Dis- trict Attorneys, estimated	78,400.00
For expenses of supernumerary District Attorneys, estimated ..	2,600.00
(5) COURT REPORTERS:	
For the compensation of the cir- cuit court reporters, estimated	350,000.00
For the compensation of the supernumerary circuit court re- porters, estimated	70,000.00
(6) SUPERNUMERARY JUDGES:	
For salaries of supernumerary judges and justices, estimated ..	150,000.00
For expenses of supernumerary judges and justices, estimated ..	5,000.00
(7) PERMANENT STUDY COM- MISSION ON ALABAMA'S JUDICIAL SYSTEM:	
For the fiscal year ending Sep- tember 30, 1974	26,998.84
For the fiscal year ending Sep- tember 30, 1975	28,998.84

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III. EXECUTIVE

A. DEPARTMENTS, BOARDS,
BUREAUS, AGENCIES AND
COMMISSIONS:

(1) THE GOVERNOR'S OF-
FICE:

For the fiscal year ending
September 30, 1974:

For salary of the Governor	25,000.00
For salary of the Executive Secretary	19,800.00
For salary of the Legal Ad- visor	19,800.00
For salary of the Press Sec- retary	19,800.00
For salary of the Confiden- tial Assistant	19,800.00
For other salaries	147,204.00
For other expenses	105,000.00
For equipment purchases	3,500.00
For automotive equipment purchases	8,000.00

Total	367,904.00
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For the fiscal year ending
September 30, 1975:

For salary of the Governor	25,000.00
For salary of the Executive Secretary	19,800.00
For salary of the Legal Ad- visor	19,800.00
For salary of the Press Sec- retary	19,800.00
For salary of the Confiden- tial Assistant	19,800.00
For other salaries	147,204.00
For other expenses	105,000.00
For printing of Governor's State Budget, Est.	22,000.00
For equipment purchases	5,000.00
For automotive equipment purchases	8,000.00

Total	391,404.00
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- (2) For the Governor's Emer-
gency Fund, to be ex-
pended at the direction of
the Governor
- For the Governor's Control-
led Contingency Fund
- For Governor's Office —
Consumer Agency,

100,000.00

60,000.00

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For salaries, other expenses, and equipment purchases	150,000.00
(3) For the Mansion Fund	45,000.00
For the Governor's Mansion at Gulf Shores	10,000.00
(4) STATE BOARD OF ADJUSTMENT:	
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343	15,000.00
(b) For expenditures by the Board payable from General Fund under the provisions of Act 208, Special Ses- sion 1966 and Act 436, Regular Session 1967, Est.	100,000.00
(5) COMMISSION ON AGING:	
For the fiscal year ending September 30, 1974:	
For transfer to the Com- mission on Aging	100,000.00
For the fiscal year ending September 30, 1975:	
For transfer to the Commis- sion on Aging	150,000.00
(6) DEPARTMENT OF AR- CHIVES AND HIS- TORY:	
For the salary of the Di- rector	18,300.00
For other salaries	157,700.00
For other expenses	33,000.00
For equipment purchases	4,000.00
For expenses of printing of the Alabama Historical Quarterly	7,000.00
Total	220,000.00

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**(7) ALABAMA COUNCIL ON
THE ARTS:**

For transfer to the Council on the Arts.	125,000.00
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**(8) OFFICE OF THE ATTOR-
NEY GENERAL:**

For the salary of the Attor- ney General	22,500.00
For the salary of the De- puty Attorney General ...	21,500.00
For the salary of the Execu- tive Assistant, Est.	20,475.00
For other salaries	720,525.00
For other expenses	150,000.00
For equipment purchases	5,000.00
For automotive equipment purchases	8,000.00
For special investigation as provided by Act 1080, 1969 Regular Session	12,000.00

Total	960,000.00
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(For Matching Federal
Funds, if available, \$60,-
000.00 from any of the
above appropriations may
be used for this purpose.)

**(9) OFFICE OF THE STATE
AUDITOR:**

For the salary of the State Auditor	20,000.00
For other salaries	135,000.00
For other expenses	39,000.00
For equipment purchases	2,000.00
For automotive equipment purchases	4,000.00

Total	200,000.00
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**(10) OFFICE OF THE STATE
AUDITOR-PROPERTY
INVENTORY:**

For salaries	40,000.00
For other expenses	9,150.00
For equipment purchases	850.00

Total	50,000.00
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**(11) STATE BANKING DE-
PARTMENT:**

For transfer to the State
Banking Department:

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For the fiscal year ending September 30, 1974	130,000.00
For the fiscal year ending September 30, 1975	163,000.00
(12) BANKING DEPARTMENT-BUREAU OF LOANS:	
For transfer to the State Banking Department	260,000.00
(13) BOARD OF EXAMINERS OF BASIC SCIENCE:	
For salaries	4,180.00
For other expenses	1,820.00
Total	6,000.00
(14) BUILDING COMMISSION:	
For salaries, other expenses, equipment purchases and automotive equipment purchases	
For the fiscal year ending September 30, 1974	170,000.00
For the fiscal year ending September 30, 1975	125,000.00
(15) CAHABA HISTORICAL COMMISSION:	
To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 and an additional amount—Total	6,000.00
(16) DEPARTMENT OF CIVIL DEFENSE:	
For the salary of the Director	18,000.00
For other salaries	104,000.00
For other expenses	40,500.00
For equipment purchases	1,000.00
Total	163,500.00
(17) ALABAMA DEVELOPMENT OFFICE:	
For transfer to Alabama Development office for operations	1,268,000.00

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For transfer to Alabama Development Office for operations conditional upon the condition of the treasury and approval of the Governor:

For the fiscal year ending September 30, 1974	982,421.00
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For the fiscal year ending September 30, 1975	1,060,800.00
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(18) STATE EMPLOYEES INSURANCE BOARD:

For the fiscal year ending
September 30, 1974:

For salaries	30,425.00	
For other expenses	5,325.00	
For equipment purchases	250.00	
<hr/>		
Total		36,000.00

For the fiscal year ending
September 30, 1975:

For salaries	31,257.00	
For other expenses	5,893.00	
For equipment purchases	350.00	
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		37,500.00

(19) FARMERS' MARKET AUTHORITY:

For transfer to the Farmers' Market Authority for the operation of the Farmers' Market Authority.	50,000.00
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(20) DEPARTMENT OF FINANCE

(a) Director's Office:

For the salary of the Director	19,800.00	
For the salary of the Assistant Director	18,800.00	
For other salaries	28,700.00	
For other expenses	8,500.00	
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Total		75,800.00

(b) Division of the Budget:

For the fiscal year
ending September
30, 1974:

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For other salaries	112,900.00	
For other expenses ..	9,600.00	
For equipment purchases	1,500.00	
Total		124,000.00
For the fiscal year ending September 30, 1975:		
For other salaries	117,900.00	
For other expenses ..	10,600.00	
For equipment purchases	1,500.00	
Total		130,000.00
(c) Division of Control ending September 30, 1974:		
For other salaries	415,575.00	
For other expenses ..	190,937.00	
For equipment purchases	5,000.00	
Total		611,512.00
For the fiscal year ending September 30, 1975:		
For other salaries ..	452,517.00	
For other expenses ..	207,437.00	
For equipment purchases	5,000.00	
Total		664,954.00
(d) Legal Division:		
For salary of the Chief of the Division, Estimated	18,018.00	
For other salaries	17,732.00	
For other expenses ..	6,650.00	
For equipment purchases	2,800.00	
Total		45,200.00
(e) For Computer Consolidation and Copy Center Operations		10,000.00
(f) Division of Purchases and Stores:		
For the fiscal year ending September 30, 1974:		

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For salaries	275,500.00	
For other expenses ..	30,000.00	
For equipment pur- chases	15,000.00	
Total		320,500.00
For the fiscal year ending September 30, 1975:		
For salaries	278,500.00	
For other expenses	30,000.00	
For equipment pur- chases	2,000.00	
Total		310,500.00
(g) Division of Service:		
For salaries	680,000.00	
For other expenses ..	300,000.00	
For equipment pur- chases	10,000.00	
For rental of prem- ises	25,000.00	
For automotive equip- ment purchases	10,000.00	
Total		1,025,000.00
(h) For equipment pur- chases in the State Offices for the Exe- cutive, Administra- tive and Judicial Departments		10,000.00
(i) For the implementa- tion of the Gover- nor's Cost Control Survey		85,000.00
(21) GORGAS MEMORIAL BOARD:		
To provide for the appro- priation authorized by Act No. 417, 1943 Acts, page 383, and an addi- tional amount—Total ..		9,500.00
(22) HALL OF FAME BOARD:		
For payment of expenses of the Board		750.00
(23) DEPARTMENT OF HEALTH:		
(a) For Air Pollution Con- trol Commission:		

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For salaries, other ex- penses, equipment purchases and au- tomotive equipment purchases	320,000.00
(To be expended in ac- cordance with Act No. 1135, 1969 Reg- ular Session)	
(b) For study, care and treatment of cancer ..	175,000.00
(c) For County Health Work: For transfer to the County Health Work Account	2,000,000.00
(d) For Dental Program: For salaries, other ex- penses and county clinics	110,000.00
(e) For General Health: For salaries, other ex- penses and equipment purchases	1,570,000.00
(This appropriation in- cludes the operations of the Branch Lab- oratories in Birming- ham and Mobile)	
(f) For Health Facilities Construction: For salaries and other expenses	50,000.00
(g) For Hospital Care of the Indigent: For transfer to the Hos- pital Care of the In- digent Account	200,000.00
(h) Hospital Licensing: For transfer to the Hos- pital Licensing Ac- count	25,000.00
(i) Medicaid: For transfer to Medi- caid Account	24,500,000.00
(j) For Preventable Diseases: For the purchase of vaccines and drugs ..	50,000.00

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(k)	For Radiation Control: For salaries, other ex- penses, and equipment purchases	78,000.00
(l)	For Tuberculosis Test- ing: For salaries, other ex- penses, equipment purchases, automo- tive equipment pur- chases, and for clini- cian and radiologist fees	154,300.00
(m)	For Tuberculosis and Chronic Lung Disor- ders Treatment: For the care and treat- ment of patients with ment of patient with tuberculosis and chronic lung disor- ders in the several tu- berculosis hospitals in the State in accor- dance with provisions of Title 22, Section 199, Code of Ala- bama 1940, as amended	3,097,531.00
(n)	For Venereal Disease Control: For salaries and other expenses	100,000.00
(o)	Water Improvement Commission: For salaries, other ex- penses, equipment purchases, automo- tive equipment pur- chases and contracts for stream studies	275,000.00
(p)	Emergency Medical Services: For transfer to the Emergency Medical Services Fund	40,000.00
(24)	OFFICE OF HIGHWAY AND TRAFFIC SAFE- TY: For transfer to Office of Highway and Traffic Safety	75,000.00

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(25) ALABAMA HISTORICAL
COMMISSION:

For transfer to Alabama
Historical Commission:

For the fiscal year ending
September 30, 1974 141,408.00

For the fiscal year ending
September 30, 1975 144,720.00

(26) RICHMOND PEARSON
HOBSON MEMORIAL
BOARD:

To provide the appropria-
tion authorized by Act
No. 536, 1943 Acts, page
510 and an additional
amount—Total

9,500.00

(27) DEPARTMENT OF IN-
DUSTRIAL REFI.A-
TIONS:

For the fiscal year ending
September 30, 1974:

For salaries 315,000.00

For other expenses 65,500.00

For equipment purchases 1,000.00

For automotive equipment
purchases 3,500.00

Total 385,000.00

For the fiscal year ending
September 30, 1975:

For salaries 326,000.00

For other expenses 65,500.00

For equipment purchases 1,000.00

For automotive equipment
purchases 3,500.00

Total 396,000.00

(28) DEPARTMENT OF IN-
SURANCE:

For salary of the Director .. 19,800.00

For other salaries 375,000.00

For other expenses 112,000.00

For equipment purchases 1,000.00

Total 507,800.00

(29) STATE LABOR DEPART-
MENT:

For salary of the Director .. 19,800.00

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For other salaries	95,000.00	
For other expenses	26,200.00	
Total		141,000.00
(30) LAGRANGE HISTORICAL COMMISSION:		
To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, page 540		
		2,000.00
(31) LIVESTOCK COLISEUM:		
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum		
		74,130.00
(32) PUBLIC LIBRARY SERVICE DIVISION:		
(a) For salaries	85,000.00	
For other expenses	27,000.00	
For books and periodicals	35,000.00	
For State aid to County units	160,000.00	
Total		307,000.00
(33) MILITARY DEPARTMENT:		
(a) For operation of the Department:		
For salary of the Adjutant General		
	19,800.00	
For other salaries	461,200.00	
For other expenses	110,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	5,000.00	
Total		600,000.00
(b) For Quarterly Allowances		
		335,000.00
Provided that not more than \$5,000.00 may be allotted in in any fiscal year for the Headquarters, Alabama National Guard, and not more than \$1,-		

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500.00 may be allotted in any fiscal year for the Division Headquarters.

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| (c) For Active Military Service—Active National Guard | 100,000.00 |
| (d) For transfer to the Armory Commission—
For care and maintenance of armories .. | 750,000.00 |
| (34) UNIVERSITY OF ALABAMA-MUSEUM FUND: | 98,000.00 |
| (35) DEPARTMENT OF PENSIONS AND SECURITY: | |
| For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security .. | 13,000,000.00 |
| (36) PERSONNEL DEPARTMENT: | |
| For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department | 104,000.00 |
| (37) COMMISSION ON PHYSICAL FITNESS: | |
| For salaries | 42,000.00 |
| For other expenses | 13,200.00 |
| For equipment purchases | 800.00 |
| Total | 56,000.00 |
| (38) COMMISSION TO PRESERVE THE PEACE: | |
| For salaries | 26,000.00 |
| For other expenses | 24,000.00 |
| Total | 50,000.00 |
| (39) BOARD OF EXAMINERS OF PSYCHOLOGY: | |
| For transfer to Board of Examiners of Psychology for operation | 1,600.00 |

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**(40) BUREAU OF PUBLICITY
AND INFORMATION:**

(a) For the salary of the Director	18,000.00	
For other salaries	58,000.00	
For other expenses	63,000.00	
For equipment purchases	1,000.00	
For Ave Marie Grotto	2,500.00	
For Mobile Junior Miss Pageant	25,000.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	5,000.00	
For Spirit of Americal Festival, Inc.	5,000.00	
For the National Peanut Festival Association	10,000.00	
Total		217,000.00

**(b) WELCOME
CENTERS:**

For salaries, other expenses, equipment purchases and Bureau's share in constructing and equipping Welcome Cen-	200,000.00
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(41) DEPARTMENT OF PUBLIC SAFETY:

For the salary of the Director	19,800.00	
For other salaries	9,428,200.00	
For other expenses	2,000,000.00	
For Workman's Compensation Insurance, Est.	102,000.00	
For equipment purchases	150,000.00	
For automotive equipment purchases	800,000.00	
Total		12,500,000.00

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**(42) DEPARTMENT OF
REVENUE:**

- (a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department.

For the fiscal year ending September 30, 1974	948,509.00
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For the fiscal year ending September 30, 1975	971,000.00
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- (b) Boards of Equalization:

For salaries of the members and employees of the county boards of equalization

143,750.00

For other expenses

4,000.00

Total	147,750.00
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- (c) Equalization Fund 250,000.00

(This is the appropriation set out under Act No. 160, 3rd Special Session of the 1971 Alabama Legislature.)

**(43) OFFICE OF SECRETARY
OF STATE:**

- (a) For the salary of the Secretary of State

20,000.00

For other salaries

62,000.00

For other expenses

12,400.00

For equipment purchases

600.00

Total	95,000.00
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- (b) Uniform Commercial Code:

For the fiscal year ending September 30, 1974:

For other salaries	51,000.00
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For other expenses	10,460.00
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For equipment purchases	1,540.00
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Total	63,000.00
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For the fiscal year ending
September 30,
1975:

For other salaries	53,800.00
For other expenses	11,700.00
For equipment purchases	1,500.00

Total	67,000.00
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(44) SECURITIES COMMISSION:

For the fiscal year ending
September 30, 1974:

For salaries	90,450.00
For other expenses	13,000.00
For equipment purchases	2,800.00
For automotive equipment purchases	3,750.00

Total	110,000.00
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For the fiscal year ending
September 30, 1975:

For salaries	93,540.00
For other expenses	15,050.00
For equipment purchases	4,100.00

Total	112,600.00
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(45) SOCIAL SECURITY ADMINISTRATION:

For salaries	104,000.00
For other expenses	20,000.00
For equipment purchases	2,000.00

Total	126,000.00
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(46) SPORTS HALL OF FAME BOARD:

To carry out provisions of
Act No. 225, 1967 Regular Session

25,000.00

(47) STATE TOXICOLOGIST:

For the salary of the State Toxicologist	19,800.00
For other salaries	276,700.00
For other expenses	65,000.00
For equipment purchases	20,000.00
For automotive equipment purchases	3,500.00

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For matching LEPA Funds	60,000.00	
Total		445,000.00
(48) OFFICE OF THE STATE TREASURER:		
For the fiscal year ending September 30, 1974:		
For the salary of the State Treasurer	20,000.00	
For other salaries	258,000.00	
For other expenses	68,000.00	
For equipment purchases ..	10,000.00	
For vault equipment purchases	3,000.00	
Total		359,000.00
For the fiscal year ending September 30, 1975:		
For the salary of the State Treasurer	20,000.00	
For other salaries	266,000.00	
For other expenses	72,700.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	3,800.00	
For vault equipment purchases	2,500.00	
Total		375,000.00
(49) UNIVERSITY OF ALABAMA—UNIVERSITY HOSPITAL & CLINICS:		
For operation and maintenance		2,000,000.00
(Provided that insurance companies, whether operated for profit or not for profit, licensed under the the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Hospital and Clinics for patient care service.)		

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(50) DEPARTMENT OF
VETERANS AFFAIRS:

For the fiscal year ending
September 30, 1974:

For the salary of the Service Commissioner	17,500.00	
For other salaries	943,300.00	
For other expenses	60,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	3,500.00	
For contract with Veterans of Foreign War Organiza- tion	22,150.00	
For contract with disabled American Veterans Organization	5,550.00	
Total		1,054,000.00

For the fiscal year ending
September 30, 1975:

For the salary of the Service Commissioner	17,500.00	
For other salaries	1,018,300.00	
For other expenses	60,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	3,500.00	
For contract with Veterans of Foreign War Organi- zation	22,150.00	
For contract with disabled American Veterans Organization	5,550.00	
Total		1,129,000.00

(51) FIRST WHITE HOUSE
OF THE CONFED-
ERACY:

For salaries and other expenses		10,000.00
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B. DEVELOPMENT AND CONSERVA-
TION OF NATURAL
RESOURCES:

(1) DEPARTMENT OF
AGRICULTURE AND
INDUSTRIES:

(a) For transfer to the Agri-
cultural Fund for sa-
laries, other expenses

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and equipment purchases for the Department of Agriculture and Industries ----	2,200,000.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases -----	420,000.00
(c) For transfer to the Department of Agriculture and Industries to be expended by said Department for salaries, other expenses, equipment purchases, automotive equipment purchases and for purchase of insecticides and chemicals for control of the fire ant -----	250,000.00
(2) AGRICULTURE CENTER BOARD:	
(a) For transfer to the Agriculture Center Board for salaries and other expenses -----	42,732.00
(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session -----	90,000.00
(3) DEPARTMENT OF CONSERVATION:	
(a) For transfer to Department of Conservation-State Land Funds For salaries, other expenses and equipment purchases for the State Lands Division	50,000.00
(b) For transfer to Department of Conservation-State Parks Fund	

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For salaries, other ex- penses and equip- ment purchases for the Division of State Parks	1,200,00.00
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(4) ALABAMA FORESTRY

For transfer to the Alabama Forestry Commission— For salaries, other expenses, equipment purchases and automotive equipment purchases	1,745,000.00
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(5) FORT MORGAN HIS-
TORICAL COM-
MISSION:

For the fiscal year ending September 30, 1974:	
For salaries	36,300.00
For other expenses	20,000.00
For equipment purchases	1,500.00
For automotive equipment purchases	5,000.00
Total	62,800.00

For the fiscal year ending September 30, 1975:	
For salaries	36,300.00
For other expenses	20,000.00
For equipment purchases	3,500.00
Total	59,800.00

(6) GEOLOGICAL SURVEY:

For the fiscal year enading September 30, 1974:	
For the salary of the state Geologist	
For other salaries	23,000.00
For other expenses	320,000.00
For equipment purchases	110,000.00
For automotive equipment purchases	8,000.00
For matching funds for in- vestigation of water, min- eral & energy resources of the State	9,000.00
For test drilling	180,000.00
For topographic Mapping	25,000.00
	25,000.00

For special geological survey relating to sink holes in Shelby County	30,000.00	
Total		730,000.00
For the fiscal year ending September 30, 1975:		
For the salary of the State Geologist	23,000.00	
For other salaries	320,000.00	
For other expenses	110,000.00	
For equipment purchases	8,000.00	
For automotive equipment purchases	9,000.00	
For matching funds for in- vestigation of water, min- eral & energy resources of the State	180,000.00	
For test drilling	25,000.00	
For topographic mapping	25,000.00	
Total		700,000.00

(7) OIL AND GAS BOARD:

(a) Operations of Board:		
For salaries	347,000.00	
For other expenses	86,000.00	
For equipment purchases	2,000.00	
For salaries, other expenses, equipment purchases, and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	40,000.00	
Total		475,000.00
(b) For the Oil and Gas Board to monitor off-shore oil drilling		100,000.00

Provided, however, that none of such funds in Paragraph (b) shall be expended by the Oil and Gas Board for its use until such board has delivered proof in writing to the Governor that the following requirements have been met, to wit:

- (1) Requirement by the Oil and Gas Board of the applicant for a drilling permit of proof that adequate equipment will be on hand in Mobile Bay to contain any spills.

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- (2) That the Oil and Gas Board has commissioned a study, not to exceed 25,000 in cost, to be made by a recognized independent research company on the subject of oil and gas exploration and production in Mobile Bay and adjacent waters in the Gulf of Mexico which said study shall as its objective the recommendation of overall guidelines for such oil and gas drilling, the same to be completed within six months of the date of this Act. The costs of same shall be paid out of this appropriation without being subject to the restrictions herein provided in this Section.

(8) STATE SOIL CONSERVATION COMMITTEE:

For the fiscal year ending
September 30, 1974:

For salaries	37,000.00	
For other expenses	58,000.00	
For Watershed Planning Party & Soil & Water Conservation Districts	125,000.00	
For automotive equipment purchases	3,750.00	
Total		224,000.00

For the fiscal year ending
September 30, 1975:

For salaries	37,000.00	
For other expenses	58,000.00	
For Watershed Planning Party & Soil & Water Conservation Districts	125,250.00	
Total		220,250.00

(9) WATERSHED CONSERVANCY DISTRICTS:

(1) Bear Creek Development Authority	31,250.00
(2) Choccolocco Watershed	4,000.00
(3) Crooked Creek Watershed	2,500.00
(4) DeKalb County-Big Wills Watershed	7,000.00
(5) Etowah County-Big Wills Watershed	7,000.00
(6) Ketchepedrakee Watershed	2,500.00
(7) Line Creek Watershed ..	2,000.00
(8) Tallasseehatchee Watershed	2,500.00
(9) Terrapin Creek Watershed	10,000.00

**C. HOSPITAL AND CORRECTIONAL
FUNCTIONS:****(1) ARREST OF ABSCONDING
FELONS:**

For expenses incident to the arrest of absconding felons, estimated ..	2,000.00
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(2) BOARD OF CORRECTIONS:

For transfer to Board of Corrections	8,750,000.00
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(3) FEEDING OF PRISONERS:

For expenses of feeding prisoners in county jails, estimated	1,200,000.00
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**(4) JUVENILE PROBATION
OFFICERS:**

Estimated	200,000.00
(To carry out the provisions of Act No. 880, 1965 Reg. Sess.)	

(5) MENTAL HEALTH:

For transfer to Special Mental Health Fund	17,250,000.00
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**(6) BOARD OF PARDONS AND
PAROLES:**

For the fiscal year ending Septem-
ber 30, 1974:

For salaries of Board Members	55,500.00
For other salaries	1,245,000.00
For other expenses	135,000.00
For automotive equipment purchases	13,000.00
For equipment purchases	9,000.00
For Federal matching funds	136,850.00

Total	1,594,350.00
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For the fiscal year ending Septem-
ber 30, 1975:

For salaries of Board Members	55,500.00
For other salaries	1,300,000.00
For other expenses	135,000.00
For automotive equipment purchases	13,000.00
For equipment purchases	9,000.00
For Federal matching funds	150,000.00

Total	1,662,500.00
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(7) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, est.	65,000.00
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D. DEBT SERVICE:

- (1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII:

For the fiscal year ending September 30, 1974	278,925.00
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For the fiscal year ending September 30, 1975	283,600.00
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- (2) For the payment of principal and interest on bonds issued for hospital construction pursuant to Constitutional Amendment No. CXXI and Constitutional Amendment No. CLVIII:

For the fiscal year ending September 30, 1974	111,540.00
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- (3) For interest on Spanish American War Veterans Fund, estimated

294.86

- (4) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated:

For the fiscal year ending September 30, 1974	2,297,005.00
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For the fiscal year ending September 30, 1975	2,300,215.00
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- (5) For the payment of principal and interest on bonds issued by the State Parks Development Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated:

For the fiscal year ending September 30, 1974	778,550.00
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For the fiscal year ending September 30, 1975	794,900.00
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- (6) For the payment of principal and interest due on bonds issued for

the Space Exhibit Commission
pursuant to Constitutional
Amendment No. CCXXIV:

For the fiscal year ending September 30, 1974 226,555.00

For the fiscal year ending September 30, 1975 229,790.00

E. MISCELLANEOUS:

(1) Alabama Academy of Honor 1,500.00
(Pursuant to provisions of Act No. 15, Third Special Session 195)

(2) For advertising lands for tax sale, estimated 14,000.00

(3) Alabama Agricultural and Industrial Exhibit Commission 42,500.00

(4) Appalachian Regional Development Program 150,000.00

(5) Armed Forces Day Committee 1,500.00

(6) For payment of Attorney's fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61), estimated 37,500.00

(7) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated 3,000.00

(8) For Civil Court Cost in connection with Ad Valorem tax assessment appeals, estimated 100.00

(9) Alabama Constitutional Commission:

For salaries 20,000.00

For other expenses 30,000.00

Total 50,000.00

(10) Coosa-Alabama Development Authority 12,500.00

(11) Council of State Governments 30,790.00

(12) For Court Costs to be paid by the State of Alabama, pursuant to Acts page 77, estimated 250,000.00

(13) For Court Costs to be paid by the State of Alabama not otherwise provided for, estimated 65,000.00

(14) Departmental Emergency Fund 350,000.00

This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount ex-

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pended under the provisions of said section.	
(15) For distribution of public documents, estimated	30,000.00
(16) Election expenses, estimated	467,500.00
(17) Elk River Development Association	5,000.00
(18) State Employees Insurance: To pay the State's share of the State Employees Insurance Program, estimated	375,000.00
(19) Employees' Retirement Fund State's part, estimated	2,000,000.00
(20) Fair Trial Tax, Transfer	100,000.00
(To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.)	
(21) Governor's Commission on Drug Abuse	5,000.00
(22) For expenses of Governor's Proclamation, estimated	100,000.00
(23) National Governor's Conference	8,500.00
(24) Governor's Retirement, estimated ..	9,000.00
(25) Governor's Wives Retirement, estimated	14,400.00
(26) For Helen Keller Home: For operation and maintenance ..	2,500.00
(27) Interpreter's Account, estimated	100.00
(To carry out provisions of Act No. 799, 1965 Regular Session.)	
(28) Southern Interstate Nuclear Board	9,000.00
(29) Law Enforcement Legal Defense, estimated	10,000.00
(To carry out provisions of Act No. 259, Regular Session 1957)	
(30) For Mailing Tax Notices, estimated	7,000.00
(31) For Matching Federal Funds not otherwise provided for	100,000.00
(32) For Alabama Mountain Lakes Association	25,000.00
(33) Presidential Electoral Expense, estimated	100.00
(34) Purchase Code Pocket Supplement, For the fiscal year ending September 30, 1974, estimated	100,000.00
(35) For printing of State and County Privilege Licenses, estimated	8,000.00

(36) Southern Regional Educational	8,000.00
(37) Alabama Development Office	
For distribution to each of the twelve Regional Planning and Development Commissions -----	300,000.00
(Provided, that each district shall receive the sum of 25,000.00. This appropriation is conditional upon the condition of the trea- sury and with the approval of the Governor.)	
(38) For Registration of Voters, estimated -----	150,000.00
(39) For State's share of Social Security, estimated -----	700,000.00
(40) For Spanish War Veterans and Widows Encampment -----	1,000.00
(41) For Tallapoosa Highland Lake Association -----	15,000.00
(42) Telephone Revolving Fund For the fiscal year ending Septem- ber 30, 1975, Est. -----	1,600,000.00
(43) Tennessee River Development Association -----	5,000.00
(44) Tennessee-Tombigbee Waterway Development Authority -----	120,000.00
(To carry out the provisions of Act No. 355, 1957 Regular Session, approved August 23, 1957)	
(45) State Treasurer-Previous year unpaid warrants, Est. -----	25,000.00
(46) Commission on Uniform State Laws -----	4,000.00
(Total amount appropriated by Act No. 926, Acts 1951, page 1575, for expenses, operation and con- tributions of Commission.)	
(47) National Veterans Day Committee, Birmingham, Alabama -----	3,000.00
(48) Veterans Day Committee -----	1,500.00
(49) Alabama Wing of Civil Air Patrol ..	25,000.00
(50) Circuit Court of Escambia County -----	10,000.00
(For cases originating at Holman Prison)	
(51) Department of Court Manage- ment -----	75,000.00
(52) Historic Chattahoochee Commis- sion:	

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For the fiscal year ending September 30, 1974:	
For salaries, other expenses and equipment purchases	75,500.00
For the fiscal year ending September 30, 1975:	
For salaries, other expenses and equipment purchases	74,650.00
(Any funds remaining unexpended from the appropriations made to the Historic Chattahoochee Commission at the end of either fiscal year shall not revert or lapse but shall be available for expenditure any subsequent fiscal year.)	
(53) Judicial Commission	24,700.00
(54) Law Institute	75,000.00
(55) Alabama Steer Association	10,000.00
(56) Tannehill Furnace and Foundry Commission	25,000.00
(57) Gulf Shores Tourist Association	10,000.00
(58) Tri-Rivers Development Association	30,000.00
(59) (a) Alabama Law Enforcement Planning Agency	450,000.00
(This appropriation is conditional upon the condition of the State General Fund and with the approval of the Governor.)	
(b) Alabama Law Enforcement Planning Agency:	
For operation and maintenance of a law enforcement academy at John C. Calhoun Junior College	50,000.00
(This appropriation is conditional upon the condition of the State General Fund and with the approval of the Governor.)	
Provided, however, that the appropriation set out hereinabove shall be expended if any other Alabama Law Enforcement Planning Agency funds are expended for the operation and maintenance of any other Law Enforcement Academy.	

(c) Alabama Law Enforcement
Planning Agency:

For operation and maintenance of a law enforcement academy at Jefferson State Junior College -----

50,000.00

(This appropriation is conditional upon the condition of the State General Fund and with the approval of the Governor.)

Provided, however, that the appropriation set out hereinabove shall be expended if any other Alabama Law Enforcement Planning Agency funds are expended for the operation and maintenance of any other law enforcement academy.

(d) Alabama Law Enforcement
Planning Agency:

For operation and maintenance of a law enforcement academy at Troy State University -----

50,000.00

(This appropriation is conditional upon the condition of the Governor.)

Provided, however, that the appropriation set out hereinabove shall be expended if any other Alabama Law Enforcement Planning Agency funds are expended for the operation and maintenance of any other law enforcement academy.

(e) Alabama Law Enforcement
Planning Agency:

For operation and maintenance of a law enforcement academy at Jacksonville State University -----

50,000.00

(This appropriation is conditional upon the condition of the State General Fund and with the approval of the Governor.)

Provided, however, that the appropriation set out hereinabove shall be expended if

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any other Alabama Law Enforcement Planning Agency funds are expended for the operation and maintenance of any other law enforcement academy.

(60) Women's Commission 10,000.00

(61) Cherokee County Arts Council,
Inc.:

For the fiscal year ending
September 30, 1974 1,100.00

For the fiscal year ending
September 30, 1975 900.00

**F. FROM FUNDS OTHER THAN
GENERAL FUND:**

**(1) ALABAMA STATE BOARD
OF PUBLIC
ACCOUNTANCY:**

For salaries, other expenses and
equipment purchases:

For the fiscal year ending
September 30, 1974 49,300.00

For the fiscal year ending
September 30, 1975 55,250.00

In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

(a) For the fiscal year ending
September 30, 1974:

For the salary of the Director, Estimated	16,200.00
For other salaries	56,422.00
For other expenses	31,629.00
For equipment purchases	1,000.00

Total	105,251.50
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For the fiscal year ending
September 30, 1975:

For the salary of the Director, Estimated	16,200.00	
For other salaries	58,801.50	
For other expenses	33,629.00	
For equipment purchases	1,000.00	
Total		109,630.50

(b) For State Aid to Airports—
For Airports and Airmark-
ings 350,000.00

The above appropriation to
Aeronautics Department
shall be paid from the
State Airports Develop-
ment Fund as provided by
Act No. 402, Acts 1945,
page 620, and the total
expenditures shall in no
manner exceed the
amounts hereby appro-
priated.

(3) COMMISSION ON AGING:

For the fiscal year ending Sep-
tember 30, 1974:

For salaries, other expenses, equipment purchases, automo- tive equipment purchases and contracts	100,000.00
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For the fiscal year ending Sep-
tember 30, 1975:

For salaries, other expenses, equipment purchases, automo- tive equipment purchases and contracts	150,000.00
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The above appropriation is pay-
able from the funds transferred
to this account in Item IIIA (5)
of this Act. In addition to the
above appropriation, any funds
received for this work from the
several counties, cities or the
Federal Government hereby ap-
propriated.

(4) AGRICULTURE AND INDUS-
TRIES:

(a) For the fiscal year ending
September 30, 1974:

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For the salary of the Commissioner	20,000.00	
For other salaries	2,200,000.00	
For other expenses	900,000.00	
For equipment purchases	64,000.00	
For automotive equipment purchases	125,000.00	
For transfer to State Personnel Department	9,000.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	57,150.00	
For awarding prizes and premiums	20,000.00	
For Swine Disease Indemnity Payments, to be expended in accordance with Sections 17-26 of Act No. 694, Legislature of 1947 ..	50,000.00	
Total		3,458,650.00

For the fiscal year ending
September 30, 1975:

For the salary of the Commissioner	20,000.00	
For other salaries	2,400,000.00	
For other expenses	900,000.00	
For equipment purchases	73,000.00	
For automotive equipment purchases	150,000.00	
For transfer to State Personnel Department	9,000.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	55,800.00	
For awarding prizes and premiums	20,000.00	
For swine indemnities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,691,300.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in III B (1) (a).

The above appropriations for other salaries, other expens-

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es, equipment purchases and automobile equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of a fiscal year in excess of \$100,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:

For the fiscal year ending
September 3, 1974:

For salaries	66,285.00	
For other expenses	16,000.00	
For automotive equipment purchases	7,000.00	
	<hr/>	
Total		89,285.00

For the fiscal year ending
September 30, 1975:

For salaries	66,285.00	
For other expenses	16,000.00	
For automotive equipment purchases	3,700.00	
	<hr/>	
Total		85,985.00

The above appropriations are payable from funds in the Egg Inspection Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

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**(c) Meat and Poultry Inspection
Division:**

For salaries, other expenses, equipment purchases and automotive equipment purchases	420,000.00
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(c)(c) Plant Industry Division:

For salaries, other expenses, equipment purchases, au- tomotive equipment pur- chases and for purchases of insecticides and chemi- cals for control of the fire ant	250,000.00
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The above appropriations
are payable from the
funds transferred to this
account in Section III
(B) (1) (c) of this Act.
In addition to the above
appropriation, any funds
received for this work
from the Federal Gov-
ernment and grants and
contributions from other
sources are hereby appro-
priated.

**(d) 1. Agriculture Center
Board:**

For the fiscal year ending
September 30, 1974:

For salaries	33,100.00	
For other expenses	8,700.00	
For rental (Livestock Coliseum, Montgom- ery)	57,150.00	
Total		98,950.00

For the fiscal year ending
September 30, 1975:

For salaries	33,100.00	
For other expenses	9,100.00	
For rental (Livestock Col- iseum, Montgomery) ..	55,800.00	
Total		98,000.00

The above appropriation
to the Agriculture Center
Board shall be paid out
of the Agricultural Cen-
ter Board Fund and in-

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cludes the appropriation made to said fund as provided in III B (2) (a) and III F (4) (a).

2. Livestock Coliseum:

For the fiscal year ending September 30, 1974:

For salaries	87,500.00
For other expenses	98,000.00
For equipment purchases	24,000.00
For repairs to Coliseum	29,150.00

Total	238,650.00
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For the fiscal year ending September 30, 1975:

For salaries	87,500.00
For other expenses	103,200.00
For equipment purchases	4,800.00
For repairs to Coliseum	3,000.00
For automotive equipment purchases	4,000.00

Total	202,500.00
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The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said Fund as provided in III A (31).

(e) Shipping Point Inspection Fund:

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases

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all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities, and shall include the appropriation made in Item III F (4) (a) of this Act (provided that automotive equipment purchases shall not exceed the sum of \$3,500.00 for each of the fiscal years ending September 30, 1974, and September 30, 1975).

**(5) ALCOHOLIC BEVERAGE
CONTROL BOARD:**

**(a) Administrative and Stores
Division:**

For the fiscal year ending
September 30, 1974:

For the salary of the Administrator	19,800.00
For other salaries	8,810,764.00
For other expenses (Transportation cost for merchandise excluded)	2,217,240.00
For equipment purchases	192,000.00
For automotive equipment purchases	7,000.00
Awards for Convictions, estimated	1,000.00
For transfer to State Personnel Department	29,521.00
For transfer to Mental Health Department	300,000.00
For transfer to Education Department for Temperance Education	58,867.00

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For transportation cost on merchandise, estimated	345,000.00	
Total		11,981,192.00
For the fiscal year ending September 30, 1975:		
For the salary of the Administrator	19,800.00	
For other salaries	9,283,251.00	
For other expenses (Transportation cost for merchandise excluded)	2,661,114.00	
For equipment purchases	192,000.00	
For automotive equipment purchases	7,000.00	
Awards for Convictions, estimated	1,000.00	
For transfer to State Personnel Departemnt	29,521.00	
For transfer to Mental Health Department	300,000.00	
For transfer to Education Department for Temperance Education	58,867.00	
For transportation cost on merchandise, estimated	355,000.00	
Total, estimated		12,907,553.00

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put in operation during each fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein

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authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For the fiscal year ending
September 30, 1974:

For salaries	1,227,168.00	
For other expenses	279,850.00	
For equipment purchases	15,000.00	
For automotive equipment purchases	120,000.00	
Total		1,642,018.00

For the fiscal year ending
September 30, 1975:

For salaries	1,272,304.00	
For other expenses	309,650.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	120,000.00	
Total		1,711,954.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses

Division:

For the fiscal year ending
September 30, 1974:

For salaries	532,158.00	
For other expenses	185,300.00	
For equipment purchases	2,000.00	
Total		719,458.00

For the fiscal year ending
September 30, 1975:

For salaries	563,194.00	
For other expenses	207,000.00	
For equipment purchases	2,000.00	
Total		777,194.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during either of the fiscal periods covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during either of the fiscal periods covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year ending September 30, 1974:

For salaries	7,280.00	
For other expenses	19,650.00	
For equipment purchases	500.00	
Total		27,430.00

For the fiscal year ending September 30, 1975:

For salaries	7,280.00	
For other expenses	20,900.00	
For equipment purchases	500.00	
Total		28,680.00

The above appropriation is payable out of funds in the State

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Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For the fiscal year ending September 30, 1974:

For salaries	500,000.00	
For other Expenses	500,000.00	
For equipment purchases	25,371.00	
For automotive equipment purchases	13,100.00	
Total		938,471.00

For the fiscal year ending September 30, 1975:

For salaries	525,000.00	
For other expenses	420,000.00	
For equipment purchases	25,371.00	
For automotive equipment purchases	13,100.00	
Total		983,471.00

The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories as provided in Item III A (33) (d) in this Act. Provided, however, that the last Federal Government service contract reimbursement for either of the fiscal years shall not revert to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:

For salaries, other expenses, and equipment purchases	125,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation herein-

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above made includes the appropriation made in Section III, A (7).

(9) DEPARTMENT OF BANKING:

(a) Bureau of Banking:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated	472,786.00
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The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session and shall also include the appropriation made in Item III A (11) of this Act.

(b) Bureau of Credit Unions:

For salaries	76,895.00	
For other expenses	26,250.00	
For equipment purchases	1,000.00	
Total		104,145.00

The above appropriation shall be paid from the Banking Department—Bureau of Credit Unions as provided in Act No. 2293, Regular Session 1971.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:

For the fiscal year ending September 30, 1974:

For salaries	213,824.00	
For other expenses	77,504.00	
For equipment purchases	4,000.00	
Total		295,328.00

For the fiscal year ending September 30, 1975:

For salaries	225,628.00	
For other expenses	77,504.00	
For equipment purchases	3,000.00	
Total		306,132.00

The above appropriation shall be paid out of the Loan Examina-

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tion Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959 and shall also include the appropriation in Section III A (12) of this Act.

(11) ALABAMA STATE BAR ASSOCIATION:

For the fiscal year ending September 30, 1974:

For salaries	81,207.08	
For other expenses	130,000.00	
For equipment purchases	1,000.00	
Total		212,207.98

For the fiscal year ending September 30, 1975:

For salaries	87,245.45	
For other expenses	133,500.00	
For equipment purchases	1,000.00	
Total		221,745.45

The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For salaries	2,700.00	
For other expenses	7,200.00	
Total		9,900.00

The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(13) CONSERVATION DEPARTMENT:

(a) Administration Division:

For the fiscal year ending September 30, 1974:

For salary of the Director ..	19,800.00
For other salaries	418,512.10
For other expenses	270,000.00
For equipment purchases	6,000.00

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For automotive equipment purchases	4,500.00	
For transfer to Personnel Department	12,500.00	
Total		731,312.10

For the fiscal year ending
September 30, 1975:

For salary of the Director ..	19,800.00	
For other salaries	424,840.60	
For other expenses	270,000.00	
For equipment purchases ..	6,000.00	
For automotive equipment purchases	4,500.00	
For transfer to Personnel Department	12,500.00	
Total		737,640.60

The above appropriations shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) Game and Fish Division:

For the fiscal year ending
September 30, 1974:

For salaries	2,476,904.58	
For other expenses	1,064,250.49	
For a survey of land in DeSoto State Park to be leased to Little River Management Area	7,500.00	
For equipment purchases ..	161,157.55	
For automotive equipment purchases	227,322.25	
For transfer to Conservation Department — Administrative Account	235,000.00	
Total		4,172,134.87

For the fiscal year ending
September 30, 1975:

For salaries	2,549,923.84	
For other expenses	1,066,637.16	
For equipment purchases	115,372.55	
For automotive equipment purchases	224,142.25	

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For transfer to Conservation Department — Adminis- trative Account	235,000.00	
Total		4,191,075.80

The funds hereinabove ap-
propriated to the Game and
Fish Division shall be paid
out of the Game and Fish
Fund.

(c) State Lands Division:

For the fiscal year ending September 30, 1974:		
For salaries	78,000.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	8,000.00	
For transfer to Conservation Department — Adminis- trative Account	7,000.00	
Total		125,000.00

For the fiscal year ending September 30, 1975:		
For salaries	80,000.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	8,000.00	
For transfer to Conservation Department — Adminis- trative Account	7,000.00	
Total		127,000.00

The funds hereinabove ap-
propriated to the State
Lands Division shall be paid
out of the State Lands Divi-
sion Fund and the appro-
priation hereinabove made
includes the appropriation
made to the said fund as
provided in Item III B (3)
(a) of this Act.

(d) State Parks Division:

For salaries, other expenses,
equipment purchases, au-
tomotive equipment pur-
chases, and for transfer to

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Conservation — Adminis- trative Account	2,500,000.00
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The funds hereinabove ap-
propriated to the State Parks
Division shall be paid out of
the State Parks Fund, and
shall include funds previous-
ly received from the one-
cent cigarette tax as provid-
ed in Act No. 309, 1967
Regular Session. The funds
hereinabove appropriated
shall also include the ap-
propriations made in Item
III B (3) (b) in this Act.

(e) Marine Resources Division:

For the fiscal year ending
September 30, 1974:

For salaries	342,934.00
For other expenses	110,700.00
For equipment purchases	10,500.00
For automotive equipment purchases	15,000.00
For transfer to Conserva- tion Department—Admin- istrative Account	54,198.00
For Gulf State Marine Fish- eries Commission	5,000.00

Total	538,332.00
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For the fiscal year ending
September 30, 1975:

For salaries	359,261.00
For other expenses	120,300.00
For equipment purchases	11,080.00
For automotive equipment purchases	15,000.00
For transfer to Conserva- tion Department—Admin- istrative Account	54,198.00
For entertainment of the Gulf State Fisheries Con- vention	1,500.00
For Gulf State Marine Fish- eries Commission	5,000.00

Total	566,339.00
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In addition to the monies
hereinabove appropriated,
all monies derived from con-
tracts, grants, or other agree-
ments concerning or relating

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to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated to the Division of Marine Resources and may be expended by the Director of Conservation on such Marine Resources Division Programs or projects which he deems appropriate.

The funds hereinabove appropriated to the Marine Resources Division shall be paid out of the Marine Resources Fund.

(f) Marine Police Division:

For the fiscal year ending
September 30, 1974:

For salaries	590,453.00	
For other expenses	252,010.00	
For equipment purchases	129,715.00	
For automotive equipment purchases	78,000.00	
For transfer to Conservation Department—Administrative Account	70,000.00	
Total		1,120,178.00

For the fiscal year ending
September 30, 1975:

For salaries	619,333.00	
For other expenses	259,950.00	
For equipment purchases	143,730.00	
For automotive equipment purchases	70,000.00	
For transfer to Conservation Department—Administrative Account	70,000.00	
Total		1,163,013.00

The funds hereinabove appropriated to the Marine Police Division shall be paid out of the Division of Marine Police Fund.

**(14) STATE LICENSING BOARD
FOR GENERAL CONTRACTORS:**

For the fiscal year ending September 30, 1974:

For salaries	57,341.50	
For other expenses	23,945.71	
For equipment purchases	7,000.00	
Total		88,287.21
For the fiscal year ending September 30, 1975:		
For salaries	57,796.50	
For other expenses	23,945.71	
For equipment purchases	7,000.00	
Total		88,742.21

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(15) BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1974:		
For the salary of the Commissioner	19,800.00	
For other salaries	5,194,400.00	
For other expenses	4,500,000.00	
For equipment purchases	100,000.00	
For automotive equipment purchases	100,000.00	
For Debt Service, estimated	55,000.00	
For transfer to the State Personnel Department	15,800.00	
Total		9,985,000.00
For the fiscal year ending September 30, 1975:		
For the salary of the Commissioner	19,800.00	
For other salaries	5,525,700.00	
For other expenses	4,250,000.00	

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For equipment purchases	100,000.00	
For automotive equipment purchases	100,000.00	
For Debt Service, estimated	53,000.00	
For transfer to the State Personnel Department	16,500.00	
Total		10,065,000.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III C (2).

(16) ALABAMA BOARD OF COSMETOLOGY:

For the fiscal year ending September 30, 1974:

For salaries	78,250.50	
For other expenses	75,000.00	
Total		153,250.50

For the fiscal year ending September 30, 1975:

For salaries	78,250.50	
For other expenses	75,000.00	
For equipment purchases	7,000.00	
Total		160,250.50

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(17) DAIRY COMMISSION:

For the fiscal year ending September 30, 1974:

For salaries	148,373.00	
For other expenses	78,350.00	
For automotive equipment purchases	4,000.00	
For equipment purchases	3,000.00	
Total		233,723.00

For the fiscal year ending September 30, 1975:

For salaries	152,017.00
For other expenses	79,250.00
For automotive equipment purchases	4,000.00
For equipment purchases	3,000.00

Total	238,267.00
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The above appropriations shall be paid out of the Dairy Commission Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(18) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department,

For the fiscal year ending September 30, 1974:	2,900.00
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For the fiscal year ending September 30, 1975:	2,921.00
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The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(19) ALABAMA DEVELOPMENT OFFICE:

For Salaries, Other Expenses, Equipment Purchases, Automotive Equipment Purchases, National Advertising and Industrial Promotion and Contracts, estimated

1,268,000.00

The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (17) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(20) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September 30, 1974:

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For salaries	53,722.00	
For other expenses	39,721.00	
For investigations and court costs	10,000.00	
For equipment purchases	5,500.00	
Total		108,943.00

For the fiscal year ending September 30, 1975:

For salaries	55,222.00	
For other expenses	43,621.00	
For investigations and court costs	10,000.00	
For equipment purchases	4,000.00	
Total		112,843.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(21) FARMERS MARKET AUTHORITY:

For the fiscal year ending September 30, 1974:

For salaries	28,000.00	
For other expenses	26,900.00	
For equipment purchases	800.00	
For automotive equipment purchases	4,000.00	
Total		59,700.00

For the fiscal year ending September 30, 1975:

For salaries	28,200.00	
For other expenses	27,800.00	
Total		56,000.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (19) of this Act.

(22) STATE FORESTRY COMMISSION:

For the fiscal year ending September 30, 1974:

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For salaries	3,200,000.00	
For other expenses	850,000.00	
For equipment purchases	166,000.00	
For automotive equipment purchases	645,000.00	
For transfer to State Personnel Department	10,000.00	
Total		4,871,000.00
For the fiscal year ending September 30, 1975:		
For salaries	3,500,000.00	
For other expenses	900,000.00	
For equipment purchases	200,000.00	
For automotive equipment purchases	645,000.00	
For transfer to State Personnel Department	10,700.00	
Total		5,255,700.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Items III, B (4) of this Act.

It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$300,000.00 for each of the fiscal years ending September 30, 1974, and September 30, 1975, then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$687,100.00 for the fiscal year ending September 30, 1974, and September 30, 1975, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

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(23) STATE BOARD OF REGISTRATION FOR FORESTERS:

For the fiscal year ending September 30, 1974:

For other expenses	6,805.00	
For equipment purchases	700.00	
Total		7,505.00

For the fiscal year ending September 30, 1975:

For other expenses	6,805.00	
For equipment purchases	700.00	
Total		7,505.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(24) LICENSING BOARD FOR THE HEALING ARTS:

For the fiscal year ending September 30, 1974:

For salaries	37,869.00	
For other expenses	8,600.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	4,000.00	
Total		51,469.00

For the fiscal year ending September 30, 1975:

For salaries	38,077.00	
For other expenses	9,450.00	
Total		47,527.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.

(25) HEALTH DEPARTMENT:

(a) Hospital Licensing:

For the fiscal year ending September 30, 1974:

For salaries	29,000.00	
For other expenses	6,000.00	
Total		35,000.00

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For the fiscal year ending
September 30, 1975:

For salaries	30,000.00	
For other expenses	6,000.00	
Total		36,000.00

The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include the appropriation made to the said fund as provided in Item III A (23) (h) in this Act.

(b) County Health Work:

For salaries, other expenses, and equipment purchases, estimated	2,759,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (23) (c) and III F (25) (f) and Item III F (25) (g) in this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(c) Indigent Care:

For the fiscal year ending
September 30, 1974:

For salaries	12,896.00	
For distribution to counties, estimated	324,046.00	
Total		336,942.00

For the fiscal year ending
September 30, 1975:

For salaries	13,182.00	
For distribution to counties, estimated	323,484.00	
Total		336,666.00

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The above appropriations are payable from the funds transferred to this account in Item III A (23) (g) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Medicaid:

For the operation of the Medicaid Program	25,000,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (23) (i) by this Act. In addition to the above appropriations, any and all funds received to the credit of the medicaid program from whatever source including all funds received from the Federal Government are hereby appropriated.

(e) Bureau of Vital Statistics:

For salaries	340,000.00	
For other expenses	53,500.00	
For equipment purchases	35,000.00	
<hr/>		
Total		428,500.00

The above appropriations are payable from the funds in the Vital Statistics Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(f) Health Department:

For salaries	686,000.00	
For transfer to the County Health Work Account	375,000.00	
<hr/>		
Total		1,061,000.00

The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

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(g) Health Department:

For the fiscal year ending
 September 30, 1974:

For salaries	690,456.00
For other expenses	394,000.00
For equipment purchases	25,000.00
For transfer to the County Health Work Account	384,000.00

Total	1,493,456.00
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For the fiscal year ending
 September 30, 1975:

For salaries	707,000.00
For other expenses	394,000.00
For equipment purchases	25,000.00
For transfer to the County Health Work Account	384,000.00

Total	1,510,000.00
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The above appropriations are payable from the funds transferred to this Account from the General and Mental Health Fund as provided in Act 275, 1967 Regular Session.

(h) Emergency Medical Services:

For salaries, other expenses, and equipment purchases	50,000.00
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The above appropriations are payable from the funds in the Emergency Medical Services fund as provided in Act 1590, 1971 Regular Session and shall include the appropriation transferred to this account in Item III (23) **p of this Act.**

(i) Hearing Aid:

Other Expenses	7,000.00
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The above appropriations are payable from the funds in the Hearing Aid fund as provided in Act 2425, 1971 Regular Session.

(j) Water Plant Operators Certifications:

Other Expenses	4,250.00
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The above appropriations are payable from the funds

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in the Water Plant Operators Certifications fund as provided in Act 1594, 1971 Regular Session.

(k) Water Well Standards Board,
Alabama:

For the fiscal year ending
September 30, 1974:

For salaries	24,440.00
For other expenses	25,560.00

Total	50,000.00
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For the fiscal year ending
September 30, 1975

For salaries	25,441.00
For other expenses	24,559.00

Total	50,000.00
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The above appropriations are payable from the Water Well Standards Board Funds as provided in Act 1516, 1971 Regular Session.

(26) THE OFFICE OF HIGHWAY
AND TRAFFIC SAFETY:

For salaries, other expenses and equipment purchases	75,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (24) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(27) ALABAMA HISTORICAL
COMMISSION:

For operations of the Alabama
Historical Commission:

For the fiscal year ending Sep- tember 30, 1974	141,408.00
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For the fiscal year ending Sep- tember 30, 1975	144,720.00
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The above appropriations shall be paid from the Alabama Historical Commission Fund and shall include appropriation made in Item III, A (25) of this Act. All

gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.

(28) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the salary of the Director, estimated	19,800.00
For transfer to the State Personnel Department	29,000.00
For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated, in addition to the amounts appropriated herein in Item III A (27), all such sums as the United States Government may make available therefor.	

(29) STATE INSURANCE FUND:

For the fiscal year ending September 30, 1974:	
For salaries	147,254.00
For other expenses	42,804.50
For equipment purchases	2,528.50
For automotive equipment purchases	12,000.00
Total	204,587.00
For the fiscal year ending September 30, 1975:	
For salaries	149,435.00
For other expenses	46,374.75
For equipment purchases	2,360.00
For automotive equipment purchases	13,500.00
Total	211,669.75

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pur-

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suant to Title 28, Section 325,
Code of Alabama 1940.

(30) FIRE MARSHALL FUND:

For the fiscal year ending Sep-
tember 30, 1974:

For salaries	59,917.00	
For other expenses	74,650.00	
For equipment purchases	4,000.00	
Total		138,567.00

For the fiscal year ending Sep-
tember 30, 1975:

For salaries	62,588.00	
For other expenses	74,650.00	
For equipment purchases	3,000.00	
Total		140,505.00

The above appropriations shall
be paid from the Fire Marshall
fund as provided in Act 1938,
1971 Regular Session.

(31) LAW ENFORCEMENT FUND: 10,000.00

The above appropriations shall
be paid from the proceeds de-
posited to the credit of the Law
Enforcement Fund pursuant to
Title 29, Section 251, Code of
Alabama 1940, as amended, and
the expenditures authorized from
such funds are limited to the
amount appropriated herein.

**(32) LIQUEFIED PETROLEUM
GAS BOARD:**

For salary of Director, estimated	15,961.00	
For other salaries	35,023.20	
For other expenses	15,805.00	
For equipment purchases	600.00	
For automotive equipment pur- chases	3,700.00	
Total		71,089.20

The above appropriations shall
be paid from receipts paid into
the Liquefied Petroleum Gas
Fund.

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**(33) BOARD OF NURSES'
EXAMINERS AND
REGISTRATION:**

For the fiscal year ending Sep-
tember 30, 1974:

For salaries	98,340.00
For other expenses	79,160.00
For equipment purchases	1,000.00

Total	178,500.00
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For the fiscal year ending Sep-
tember 30, 1975:

For salaries	101,791.00
For other expenses	85,310.00
For equipment purchases	1,000.00

Total	188,101.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

**(34) BOARD OF NURSING HOME
ADMINISTRATION:**

For the fiscal year ending Sep-
tember 30, 1974:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated	31,900.00
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For the fiscal year ending Sep-
tember 30, 1975:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated	35,500.00
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The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

**(35) PEACE OFFICERS ANNUITY
AND BENEFIT FUND,
ALABAMA:**

For the fiscal year ending Sep-
tember 30, 1974:

For salaries	53,661.00
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For other expenses	30,959.00	
For equipment purchases	2,000.00	
Total		86,620.00

For the fiscal year ending September 30, 1975:

For salaries	57,430.00	
For other expenses	30,634.00	
For equipment purchases	2,000.00	
Total		90,064.00

The above appropriations shall be paid from the Peace Officers Annuity and Benefit Fund as provided in Act No. 1210, 1971 Regular Session.

(36) PENSIONS:

- (a) For Confederate Veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soliders and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(37) DEPARTMENT OF PENSIONS AND SECURITY:

For the salary of the Commissioner	19,800.00
For transfer to the State Personnel Department	63,000.00

For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item III A (35) all Federal, State, County and Municipal funds made available therefor.

Provided, that none of the above sums appropriated and transfer-

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red to the Department of Pensions and Security may be used to pay rent on the Old Selma Baptist Hospital located at 15 Riverview Avenue in Selma, Alabama, in excess of 20,000 square feet, excluding the basement, at a rental of \$2.75 per square foot per annum.

(38) PERSONNEL DEPARTMENT:

For the fiscal year ending September 30, 1974:

For salary of the Director, estimated	19,800.00
For other salaries	314,700.00
For other expenses	100,000.00
For equipment purchases	35,000.00

Total	469,500.00
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For the fiscal year ending September 30, 1975:

For salary of the Director, estimated	19,800.00
For other salaries	324,700.00
For other expenses	100,000.00
For equipment purchases	31,000.00

Total	475,500.00
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The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(39) BOARD OF EXAMINERS OF PSYCHOLOGY:

For the fiscal year ending September 30, 1974:

For salaries, other expenses, and equipment purchases, estimated	2,000.00
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For the fiscal year ending September 30, 1975:

For salaries, other expenses, and equipment purchases, estimated	2,500.00
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The above appropriations shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (39).

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**(40) BUREAU OF PUBLICITY
AND INFORMATION:**

**For the fiscal year ending Sep-
tember 30, 1974:**

For salaries	86,800.00
For other expenses	61,000.00
For equipment purchases	1,500.00
For advertising	500,000.00

Total	649,300.00
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**For the fiscal year ending Sep-
tember 30, 1975:**

For salaries	99,043.90
For other expenses	68,700.00
For equipment purchases	1,500.00
For advertising	550,000.00

Total	719,243.90
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The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(41) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

**(42) PUBLIC SERVICE
COMMISSION:**

**For the fiscal year ending Sep-
tember 30, 1974:**

For salary of the President and Two Associate Commissioners	54,500.00
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For other salaries	783,439.00	
For other expenses	207,447.00	
For equipment purchases	16,000.00	
For automotive equipment purchases	48,400.00	
Total		1,109,786.00

For the fiscal year ending September 30, 1975:

For salary of the President and Two Associate Commissioners	54,500.00	
For other salaries	790,602.00	
For other expenses	229,447.00	
For equipment purchases	15,000.00	
For automotive equipment purchases	32,000.00	
Total		1,121,549.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of a fiscal year in excess of \$150,000.00 shall be transferred to the State General Fund.

(43) ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September 30, 1974:

For salaries	84,756.00	
For other expenses	44,949.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	8,000.00	
Total		147,705.00

For the fiscal year ending September 30, 1975:

For salaries	87,854.00	
For other expenses	44,949.00	
Total		132,803.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(44) DEPARTMENT OF
REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (42) (a) of this Act.

For the fiscal year ending September 30, 1974:	948,509.00
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For the fiscal year ending September 30, 1975:	971,000.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1974	104,608.00
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For the fiscal year ending September 30, 1975	107,080.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1974	106,619.00
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For the fiscal year ending September 30, 1975	109,139.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,

For the fiscal year ending Sep- tember 30, 1974	700,066.00
For the fiscal year ending Sep- tember 30, 1975	716,614.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, for In- come Tax Collections, for the cost of collecting said tax,	
For the fiscal year ending Sep- tember 30, 1974	2,325,507.00
For the fiscal year ending Sep- tember 30, 1975	2,380,476.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Depart- ment,	
For the fiscal year ending Sep- tember 30, 1974	404,349.00
For the fiscal year ending Sep- tember 30, 1975	413,906.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of cost of operating said Department,	
For the fiscal year ending Sep- tember 30, 1974	409,378.00
For the fiscal year ending Sep- tember 30, 1975	419,054.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax,	
For the fiscal year ending Sep- tember 30, 1974	124,724.00
For the fiscal year ending Sep- tember 30, 1975	127,673.00
There is hereby appropriated for transfer to Revenue Department Administrative Account, from the Public School Fund as part of the Ad Valorem Tax,	

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For the fiscal year ending Sep- tember 30, 1974	308,794.00
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For the fiscal year ending Sep- tember 30, 1975	316,093.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax collections as part of the cost of operating said Department,

For the fiscal year ending Sep- tember 30, 1974	3,235,794.00
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For the fiscal year ending Sep- tember 30, 1975	3,312,280.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,

For the fiscal year ending Sep- tember 30, 1974	61,356.00
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For the fiscal year ending Sep- tember 30, 1975	62,807.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,

For the fiscal year ending Sep- tember 30, 1974	666,873.00
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For the fiscal year ending Sep- tember 30, 1975	682,636.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,

For the fiscal year ending Sep- tember 30, 1974	318,852.00
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For the fiscal year ending Sep- tember 30, 1975	326,389.00
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There is hereby appropriated for transfer to Revenue Department,

Administrative Account, from the gross proceeds of Cigarette Tax collections Act 275, 1967 Regular Session as part of the cost of operating said Department,

For the fiscal year ending September 30, 1974	134,783.00
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For the fiscal year ending September 30, 1975	137,969.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Utility Tax collections as provided in Act No. 37, 1969 Special Session,

For the fiscal year ending September 30, 1974	208,209.00
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For the fiscal year ending September 30, 1975	213,131.00
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For the fiscal year ending September 30, 1974—Total	10,058,421.00
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For the fiscal year ending September 30, 1975—Total	10,296,247.00
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There is hereby appropriated to the Revenue Department from the gross proceeds of Motor Vehicle License collections for the purchase only, of Motor Vehicle License tags,

For the fiscal year ending September 30, 1974	1,331,000.00
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For the fiscal year ending September 30, 1975	1,437,480.00
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(45) DEPARTMENT OF
REVENUE—
ADMINISTRATIVE
ACCOUNT:

For the fiscal year ending September 30, 1974:

For the salary of the Commissioner	19,800.00
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For other salaries	7,234,712.00
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For other expenses, estimated	2,143,500.00
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For equipment purchases	30,000.00
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For automotive equipment purchases	21,000.00
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For transfer to State Personnel Department	18,100.00
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Total	9,467,112.00
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For the fiscal year ending September 30, 1975:

For the salary of the Commissioner	19,800.00	
For other salaries	7,405,527.00	
For other expenses, estimated ..	2,190,500.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	21,000.00	
For transfer to State Personnel Department	18,100.00	
Total		9,684,927.00

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of **operating said Department** or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

**(46) STATE BOARD OF
REGISTRATION FOR
SANITARIANS:**

For salaries	1,200.00	
For other expenses	1,500.00	
Total		2,700.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No 209, Second Special Session, 1964.

(47) TEMPERANCE EDUCATION:

For the fiscal year ending September 30, 1974:

For salaries	54,990.00	
For other expenses	15,091.00	
For equipment purchases	500.00	
Total		70,581.00

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For the fiscal year ending September 30, 1975:

For salaries	60,489.00	
For other expenses	16,600.00	
For equipment purchases	500.00	
Total		77,589.00

The appropriation hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(48) ALABAMA THERAPIST BOARD:

For the fiscal year ending September 30, 1974:

For expenses	4,100.00	
For equipment purchases	200.00	
Total		4,300.00

For the fiscal year ending September 30, 1975:

For expenses	4,950.00	
For equipment purchases	200.00	
Total		5,150.00

The above appropriations shall be paid from receipts paid into the Alabama Therapist Board Fund.

(49) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	100.00	
For other expenses	7,200.00	
For equipment purchases	500.00	
Total		7,800.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has

been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6(A). In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 6(B). There is hereby appropriated, and the Governor is authorized and directed to expend for such purposes and in such order and with such priorities as he deems proper within the categories set out below the following amounts which are anticipated to be received by the State of Alabama during the period October 1, 1973, through September 30, 1975, as grants or entitlements under the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 92nd Congress, 1972:

A. Transportation	15,500,000.00
B. Parks and Recreation	
(1) For the completion of the construction, development, furnishing, and equipping of those State Parks now under construction	5,000,000.00
(2) For the completion of the construction, development, fur-	

nishing, and equipping of State Parks and for the oper- ation and maintenance of the State Park System	2,000,000.00
C. Mental Health	15,500,000.00
D. General Health	5,000,000.00
E. Education	12,000,000.00
F. Economic Development	1,000,000.00
G. Community Development	3,000,000.00
H. Environmental Conservation	1,500,000.00
I. Public Safety	1,000,000.00
J. General Government	6,000,000.00

The appropriations made in this subsection shall not revert or lapse but shall remain available for the purposes for which the appropriations were made.

In the event that the amount of funds actually received as grants or entitlements under the State and Local Fiscal Assistance Act of 1972 is less than the amounts herein appropriated, the Governor may direct the expenditure of funds in such order and with such priorities as he deems proper; provided, that there may not be expended in any category an amount in excess of that appropriated herein for that specific category.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1973.

Yeas 88; Nays 1.

Yeas:

Mr. Speaker	Casey	Fite	Kinsey
Adams	Chesnut	Flippo	Lang
Adwell	Collins	Gafford	Lutz
Agee	Connell	Goodwin	McBride
Bank	Cottingham	Grainger	McCorquodale
Barron	Crawford	Gray (F)	McDonald
Bassett	Crowe	Grey (D)	McMillan
Benton	Dill	Hale	McNair
Boutwell	Doss	Hardin	Manley
Bowers	Downing	Headley	Mathews
Brassell	Drake	Hill	May
Burgess	Edwards	Hughes	Meeks
Callahan	Ellis	Jackson	Merrill
Carnes	Erdreich	Jones (F)	Mims
Carter	Falkenburg	King	Naramore

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Nettles	Reynolds	Stokes	Wallace
Owens	Roberts	Stubbs	Warren
Parker	St. John	Therrell	Weeks
Perloff	Slate	Timmons	Williams
Porter	Smith (K)	Turnham	Wise
Reed (T)	Smith (P)	Waggoner	Wood
Reid (R)	Snell	Waldrop	Wynot

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Nay: Mr. Hobbie.

—1

And the bill, H. 321 as thus amended, was again read at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Reid (R)
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Agee	Drake	Lutz	St. John
Bank	Edwards	McBride	Slate
Barron	Ellis	McCorquodale	Smith (K)
Benton	Erdreich	McDonald	Smith (P)
Boles	Falkenburg	McMillan	Snell
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Therrell
Burgess	Goodwin	May	Timmons
Callahan	Grainger	Meeks	Turner
Carnes	Gray (F)	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Headley	Owens	Warren
Collins	Hill	Parker	Weeks
Connell	Hughes	Perloff	Williams
Cottingham	Jackson	Porter	Wise
Crawford	Jones (F)	Reed (T)	Wynot
Crowe		/	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 848. To further amend Section 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42) as amended, which Act provides further for the compensation of members of the county board of education in certain counties having a population of not less than 16,000 nor more than 16,250 inhabitants.

Also:

H. 811. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of

counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Also:

H. 813. To repeal Act No. 948, H. 1017, Regular Session 1951 (Acts 1951, p. 1618), an act relating to counties having populations of not less than 30,000 nor more than 33,500, according to the 1950 or any subsequent federal decennial census and having two courthouses; providing for the appointment of deputies or clerks for the offices of the tax assessor, tax collector and circuit clerk of such counties.

Also:

H. 814. To provide for the appointment of a deputy or clerk for the circuit clerk of all counties having populations of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; and to provide for retroactive effect of this Act.

Also:

H. 850. Relating to all counties having a population of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 930. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Also:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture of making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Also:

H. 527. Relating to counties having a population of 500,000 or more inhabitants, according to the most recent federal decennial census; to provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in such counties shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Also:

H. 576. To amend Section 1.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fine:

S. J. R. 72. ASKING THE UNITED STATES CONGRESS TO REPEAL LEGISLATION ESTABLISHING THE PROFESSIONAL STANDARDS REVIEW ORGANIZATION.

WHEREAS, the Professional Standards Review Organization (PSRO) (Public Law 92-603, Sec. 249, F, Title XI of the Social Security Act) introduces and requires a new and foreign philosophy of medical care in America; namely, that henceforth, the "care diagnosis and treatment" for private citizens by private doctors shall comply with government concepts of medical care as approved by PSRO and the Secretary of Health, Education and Welfare for beneficiaries of Social Security Programs; and

WHEREAS, PSRO imposes this obligation on doctors to meet PSRO government approved "norms" of "health care", under "sanction" that doctors shall pay "to the United States" the "cost of the service" or (if less), \$5,000; or be excluded from eligibility to care for patients on a reimbursable basis by the Secretary of Health, Education and Welfare; and

WHEREAS, compliance with the above government-approved PSRO rule book for the care, diagnosis and treatment of patients would interfere with the doctor's professional judgment, would diminish and impair personalized health care, and encourage conformity to stereotyped rules rather than to what he deems best for his individual patient in an individual illness; and

WHEREAS, PSRO is certain to stifle innovation and encourages mediocrity, and to lower the quality of medical care by encouraging rule-book medical care; and

WHEREAS, in complying with PSRO, doctors would act contrary to Section 6 of their Code of Medical Ethics which states, "A physician should not dispose of his services under terms or conditions which tend to interfere with or impair the free and complete exercise of his medical judgments and skill or tend to cause a deterioration of the quality of medical care," and

WHEREAS, PSRO empowers government agents to enter and inspect private doctors' offices, therein also to invade the privacy of patients' medical records containing information on their private lives; and

WHEREAS, because PSRO diminishes the quality of medical care, the better physicians may not participate in government reimbursable programs; and

WHEREAS, PSRO, therefore, violates fundamental freedoms which are necessary for medical care, such as:

(a) Freedom of the patient to choose his physician.

(b) Freedom of the physician to decide whom he will treat, except in emergencies.

(c) Freedom of the physician to choose the method of treatment of his patients consistent with good medical practice in his locality.

(d) Freedom of the physician to admit his patient to a hospital for treatment under the continuing concept that this is the sole prerogative of the physician, consistent with the official policy of the hospital medical staff, and irrespective of race, creed, color or political belief.

(e) Freedom of the physician to have the right of direct billing, the right to determine the method of receiving payment for his service, and the right to a fee-for-service concept in the delivery of medical care; and

WHEREAS, this punitive legislation has no economic basis for justification because the government's records display a distinguished record, with only 18 doctors convicted of fraud in the fifty states in six years of the Medicare Program, with 20 million Medicare patients and 200,000 physicians; and, also, physicians' fees have risen less than the cost price index in the past two years; and

WHEREAS, PSRO is certain to escalate the costs of medical care by the creation of a vast new bureaucracy of PSRO networks with an estimated initial cost of at least one billion dollars; by duplication of existing computer fiscal reviews with profiles and norms in operation by government carriers in use for years; by diverting valuable physician time to unnecessary computer review work; by vastly multiplying paperwork documentation at every level of physician decision; by discouraging physicians from entering or continuing practice in a new PSRO era of total bureaucratic medical care; and

WHEREAS, PSRO is ill conceived legislation, which will result in the rationing of medical care for Social Security beneficiaries, passed at the eleventh hour in Congress with opposition from practically all sectors of the organized medical profession and of the hospital association; and

WHEREAS, the practicing physician has the obligation to inform the people as to what constitutes good medical practice, a responsibility he cannot delegate, and to object to the usurpation of their obligation by politicians; and

WHEREAS, the Council of Medical Staffs, representing 30,000 private practicing physicians, based on the balloting of its member medical staffs for 3 years has consistently opposed PSRO; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the United States Congress should denounce the Professional Standards Review Organization (PSRO) as ill conceived legislation and should repeal such legislation.

BE IT FURTHER RESOLVED, That the public be alerted of this ill conceived legislation and be asked to assist in its repeal.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to each member of the Alabama Congressional Delegation, the President of the Senate and the Speaker of the House of Representatives, the Secretary of Health, Education and Welfare, and the Director of the Council of Medical Staffs.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 72, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Harris:

S. J. R. 80. URGING THE UNITED STATES INTERIOR DEPARTMENT TO OPEN FEDERAL LANDS OFF THE ALABAMA COAST FOR BIDDING FOR PURPOSES OF EXPLORING FOR OIL AND NATURAL GAS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 80, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 164. Naming Highway 47 in Baldwin County "Gulf Shores Parkway"

Also:

H. J. R. 156. Mourning the death of five rail crewmen killed aboard the Birmingham Southern Railroad train derailed near Mulga.

Also:

H. J. R. 158. Extending best wishes and appreciation to Captain B. G. Bryant.

Also:

H. J. R. 159. Mourning the death of Rev. Paul Weekley.

Also:

H. J. R. 160. Commending the Alabama YMCA Youth Legislature on its 25th anniversary.

Also:

H. J. R. 162. Mourning the death of former Senator O. J. (Joe) Goodwyn.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Horne, Foshee and Littleton.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 163. IN APPRECIATION OF THE SERVICE OF MR. O. C. HELMS UPON HIS RETIREMENT.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Wilson:

S. J. R. 82. CHANGING THE NAME OF THE GEORGE C. WALLACE TRADE SCHOOL OF CULLMAN COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Cullman,

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now designated as the George C. Wallace Trade School of Cullman County, shall be hereafter designated and known as the George C. Wallace State Technical Community College.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 82, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. King:

S. 72. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Also:

By Mr. King:

S. 75. To amend Act No. 803, H. 1258 of the Regular Session of 1961 (Acts of 1961, p. 1166), an Act which applies in counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized, amending such Act so as to provide further for the time and manner of commencing contest of elections and providing for the breaking of the seal on voting machines and the making of records of the count thereof when such machines are needed for subsequent elections.

Also:

By Mr. King:

S. 76. To amend Code of Alabama 1940, Title 51, Sections 879 and 882, so as to withdraw and take away from the director of revenue of Jefferson County all duties, liabilities and responsibilities relative to the issuance, recording and reporting of marriage licenses, and to place such duties, liabilities and responsibilities on the probate judge of such county; and to provide for the transfer of marriage license records from the director of revenue of Jefferson County to the probate judge of such county.

Also:

By Mr. King:

S. 77. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries

for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 72. Judiciary.
- S. 75. Local Legislation No. 2.
- S. 76. Local Legislation No. 2.
- S. 77. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:-

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Bailes (By Request):

S. 468. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect the ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the power to levy and collect each year an additional tax of three-fourths of one per centum based upon the value of the property therein as fixed for state taxation, and the further power to increase in the future the rate at which ad valorem taxes are levied provided that any increase is first approved by an act of the Legislature and by a majority vote of the qualified electors in the City of Mountain Brook.

Also:

By Mr. Malone:

S. 503. Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

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A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby declared to be in the best interest of the public health and welfare that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of such animals fails to do so, and the governing body of such county is hereby authorized to make provisions for such burying or burning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of The Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, 30, June 6, and 13, all in the year 1973.

GLEENDA GRIFFIN.

Sworn to and subscribed before me June 22, 1973.

PEGGY CULBERSON,
Notary Public.

Also:

By Mr. Malone:

S. 504. To amend Section 2 of Act No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act. No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 398, H. 876, Regular Session, 1955 (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, is hereby amended so as to read as follows:

Section 2. The chairman of the county commission shall be a qualified elector in Etowah County, Alabama, and shall be elected by the qualified electors of the entire county. The chairman of said commission shall be elected at the general election to be held in the year 1974, and every six (6) years thereafter, and shall hold office from the first Monday after the second Tuesday in January following his election, and until his successor is elected and qualified."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of The Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, 30, June 6, and 13, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me June 22, 1973.

PEGGY CULBERSON,
Notary Public.
McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate bill, S. 468, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 2.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 503. Local Legislation No. 2.

S. 504. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Bailes, Baker, Branyon, Carr, Clark, Cook, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Melton, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Vacca, Weaver, Wilder and Wilson:

S. 523. To name and designate a certain structure in the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham as the "Spain Tower."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 523. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 628. Relating to counties having a population of not less than 45,500 nor more than 52,000 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts apaid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Also:

H. 220. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

Also:

H. 470. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain addi-

tional territory in Section 1, Township 16 N, Range 18 E, Montgomery County, Alabama.

Also:

H. 547. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 567. Relating to counties having a population of not less than 38,100 or more than 40,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 660. To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN

Mr. Agee moved that the House adjourn until 2:00 o'clock p.m., Tuesday, August 7, 1973.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Mr. Falkenburg that the House adjourn until 12:00 o'clock noon, Tuesday, August 7, 1973, was adopted.

Yeas 57; Nays 26.

Yeas:

Mr. Speaker	Connell	Gray (F)	Nettles
Adams	Cottingham	Hobbie	Perloff
Agee	Crawford	Hughes	Porter
Bank	Culver	Jackson	Reid (R)
Barkett	Dill	Kinsey	Reynolds
Bassett	Doss	Lang	Slate
Benton	Downing	Lutz	Smith (K)
Boles	Easters	McBride	Smith (P)
Boutwell	Edwards	McCorquodale	Therrell
Bowers	Erdreich	McNair	Turner
Brassell	Falkenburg	Manley	Waggoner
Burgess	Fite	May	Wallace
Carter	Goodwin	Merrill	Weeks
Casey	Grainger	Naramore	Williams
Cauthen			

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Nays:

Messrs.:	Hale	Mims	Timmons
Adwell	Hardin	Owens	Turnham
Barron	Headley	Parker	Waldrop
Carnes	Hill	Robertson	Warren
Chesnut	Jones (F)	St. John	Wise
Flippo	King	Stokes	Wynot
Grey (D)	Mathews	Stubbs	

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ADJOURNMENT

The question was then on the motion as substituted, that the House adjourn until 12:00 o'clock noon, Tuesday, August 7, 1973, and the motion was adopted.

Yeas 43; Nays 37.

Yeas:

Messrs.:	Connell	Falkenburg	Naramore
Agee	Cottingham	Fite	Perloff
Bank	Crawford	Goodwin	Reed (T)
Barkett	Crowe	Jackson	Reid (R)
Bassett	Culver	McBride	Reynolds
Benton	Dill	McCorquodale	Slate
Bowers	Doss	McNair	Smith (K)
Brassell	Downing	Manley	Therrell
Burgess	Easters	Mathews	Turner
Carter	Edwards	May	Waggoner
Casey	Erdreich	Merrill	Weeks

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Nays:

Mr. Speaker	Grey (D)	Lang	Smith (P)
Adams	Hale	Lutz	Stokes
Adwell	Hardin	Meeks	Stubbs
Barron	Headley	Mims	Timmons
Callahan	Hill	Nettles	Turnham
Carnes	Hughes	Owens	Waldrop
Cauthen	Jones (F)	Porter	Wallace
Ellis	King	Robertson	Warren
Flippo	Kinsey	St. John	Wynot
Grainger			

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TWENTY-SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday August 7, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Honorable Maston Mims, Chairman, Board of Deacons, Poplar Springs Baptist Church, Uriah, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-sixth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twenty-sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-sixth legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1802. To define collection agencies, to regulate collection agencies, to prescribe the duties thereof, to describe the duties of the Attorney General

in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1792. To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 523. To name and designate a certain structure in the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham as the "Spain Tower."

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment and it was read a second time and placed on the Calendar, to-wit:

H. 1226. (With Amendment): Requiring the inoculation of all school children for German measles; requiring the state to provide such inoculation service if so requested.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session has acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1027. To provide for the enforcement of rules and regulations promulgated by the Commissioner of Insurance, as provided for in Section 28 of Act 407, Acts of Alabama, 1971.

H. 1028. To amend Sections 373 and 744 of Act No. 407, H. 198, Legislature of Alabama of 1971, approved August 25, 1971, entitled "An Act to provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign alien insurance companies, societies and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity con-

tracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes, "which relate to the Standard Nonforfeiture and Standard Valuation Laws applicable to life insurance companies so as to increase the interest rates used in determining minimum nonforfeiture and reserve values for contracts issued by such companies, and to substitute modern mortality tables in determining the reserve values for annuity contracts.

H. 1132. To provide a method by which an insurance company incorporated under the laws of this State may, by resolution of its board of directors, apply any part or all of its capital surplus to the elimination or reduction of any deficit, however incurred.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 746. To make it a felony punishable by additional sentence without parole for any person confined to any correctional institution to possess a firearm, knife or other deadly weapon.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1185. To amend Sections 3 and 4 of Act No. 566, S. 117, p. 1046, Volume II, Acts of Alabama, Regular Session of the Legislature 1969, effective 2/1/70, the title of which act is, "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries," by increasing the minimum and maximum salary allowed for such Supernumerary officials and providing for repayment of the amount of salary paid into the general fund of the county by such Clerks and Registers if their tenure of office is terminated prior to their becoming supernumerary.

H. 1515. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 644. (With Substitute): To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1956, p. 328), as amended relating to courts of General Sessions of Mobile.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1748. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County making a change in the rates and purposes for which may be levied and distributed the special tax authorized by the Amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended, and to supersede the Amendment to the said Constitution known as Amendment CCCI.

The above bill was read a second time at length as required by the Constitution.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 98. (With Amendment): To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1678. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1523. (With Amendment): To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

H. 442. (With Amendment): To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1526. (With Amendment): Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 96. (With Substitute): Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for a traveling expense for the serving of any summons or other mesne process, except subpoenas for witnesses, in any such counties coming under the provisions of this act.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 97. (With Amendment): To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama of 1969, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to ad-

wise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

H. 99. (With Amendment): Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

H. 273. (With Amendment): To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 p. 356) Entitled "An Act To Fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 276. To provide that in all counties having populations of not less than 300,000 nor more than 500,000 inhabitants according to the last or any succeeding census, the county governing body of such counties is authorized to pay a monthly pension to any public law librarians upon retirement.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1817. To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys. This Bill would decrease state revenue by an estimated \$8,400.00 per annum.

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 400. Relating to Morgan County; to declare the public policy of the State with respect to the violation of Section 420, Title 14, Code of Alabama 1940, as Amended; to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes; to declare that habitual violation of said statutes constituted a legal nuisance; to provide certain further exemptions; to prevent unfair competition among merchants through violations of said statutes; and to provide for the enforcement by injunction from a court in equity of the provisions within Morgan County.

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

H. 1450. Relating to Macon County; to authorize the manufacturer of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1725. (With Amendment): Relating to counties having a population of not less than 12,700 nor more than 12,800 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the Judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain conditions; to pro-

vide for the duties, authority and compensation of any such supernumerary judge.

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Depart-

ment of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

H. 1800. To authorize any bank in business as of January 1973 in Butler County to establish, operate and maintain branch banks.

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of

Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last of any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

H. 1857. To amend Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750) which establishes a secretary for the Deputy District Attorney of all counties having a population of not less than 38,100 nor more than 40,500, in order to further regulate the salary of said secretary.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1525. To provide for supernumerary sheriffs in the various counties in the State of Alabama having a population of not less than 150,000 and not more than 180,000 according to the last Federal Decennial Census, setting up the requirements and qualifications, fixing their compensation, status and tenure of office, and providing for the payment of their salaries.

H. 1461. To amend Section 6, Section 9, Section 15, Section 18 and Section 24 of Act Number 1606, H. 1891 approved September 17, 1971, Regular Session 1971 (Acts 1971, p. 2761) to create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for

the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 619. (With Substitute) (With Amendment): To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction

or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

H. 1780. To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

H. 1847. To amend Section 17 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

H. 1848. To amend Section 13 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1849. (With Amendment): To provide that the governing body of any county of the state having a population of 500,000 or more according to the last or any subsequent federal census shall be authorized to accord persons who are members of the Pension System established for officers and employees of the county the option to convert all, or any part of, their unpaid membership time to paid membership time; provided, however, that such power shall be subject to the conditions and limitations prescribed in the Act.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1850. (With Amendments): To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, (Ala. Acts, 1965, page 717 et seq.), as heretofore amended, establishing a Pension System for officers and employees of Jefferson County, Alabama.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1853. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579), as heretofore amended, which Act established in and for every city of the state having a population of two hundred and fifty thousand or

more according to the last or any succeeding federal census a pension and relief system for officers and employees of such city and their widows and children.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1854. (With Amendment): To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the governing body of the city of Birmingham shall have the power to supplement the pension or benefit payable from, or out of, a pension system established for city personnel provided that such supplement is based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1855. To amend sub-section (a) of Section 12 of Act No. 497 of the Regular Session of the Legislature of Alabama 1965 (Ala. Acts, 1965, page 717 et seq.), establishing a pension system for officers and employees of Jefferson County, Alabama.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1856. (With Amendment): To amend Section 4 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, page 717), establishing a pension system for officers and employees of Jefferson County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1300. (With Amendment): To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1432. (With Substitute): Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property and equipment; prescribing penalties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

The above bill was read a second time at length as required by the Constitution.

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

MOTION IN WRITING FILED

Mr. Slate filed the following Motion in Writing:

Having voted on the prevailing side on the passage of H. B. 1304 on Thursday, August 2, 1973, I now move that the vote by which it was passed be re-considered.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 321. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 12. Opposing amnesty for deserters from the armed forces of the United States.

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Also:

H. J. R. 57. Condemning the manner in which the Tuskegee Syphilis Study was conducted, requesting an end thereto and demanding that the participants be compensated by the United States Government.

Also:

H. J. R. 132. Condemning proposed federal rules and regulations to protect the common crow.

Also:

H. J. R. 134. Deploing the System of Applying Birth Control Methods Without Proper Information.

Also:

H. J. R. 141. Relative to coordinating all educational agencies in the interest of improving the reading proficiency and communicative ability of our students in public schools.

Also:

H. J. R. 148. Expressing appreciation to Auburn University for its efforts in studying a more effective application of public technology to critical needs of State governments.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 848. To further amend Section 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42) as amended, which Act provides further for the compensation of members of the county board of education in certain counties having a population of not less than 16,000 nor more than 16,250 inhabitants.

Also:

H. 811. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of

counties having a population of not less than 34,100 nor more than 34,900 and to make the provisions of this amendatory act retroactive to September 7, 1971.

Also:

H. 813. To repeal Act No. 948, H. 1017, Regular Session 1951 (Acts 1951, p. 1618), an act relating to counties having populations of not less than 30,000 nor more than 33,500, according to the 1950 or any subsequent federal decennial census and having two courthouses; providing for the appointment of deputies or clerks for the offices of the tax assessor, tax collector and circuit clerk of such counties.

Also:

H. 814. To provide for the appointment of a deputy or clerk for the circuit clerk of all counties having populations of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; and to provide for retroactive effect of this Act..

Also:

H. 850. Relating to all counties having a population of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 930. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Also:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

Also:

H. 527. Relating to counties having a population of 500,000 or more inhabitants, according to the most recent federal decennial census; to provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in such counties shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Also:

H. 576. To amend Section 1.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

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Also:

H. 660. To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

Also:

H. 567. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 547. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 470. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 N, Range 18 E, Montgomery County, Alabama.

Also:

H. 220. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

Also:

H. 628. Relating to counties having a population of not less than 45,500 nor more than 52,000 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while deserving on the jury.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 162. Mourning the death of former Senator O. J. (Joe) Goodwyn.

Also:

H. J. R. 163. In Appreciation of the Service of Mr. O. C. Helms Upon His Retirement.

Also:

H. J. R. 164. Naming Highway 47 in Baldwin County "Gulf Shores Parkway"

Also:

H. J. R. 156. Mourning the Death of Five Rail Crewmen Killed Aboard the Birmingham Southern Railroad Train Derailed Near Mulga.

• Also:

H. J. R. 158. Extending Best Wishes and Appreciation to Captain B. G. Bryant.

Also:

H. J. R. 159. Mourning the death of Rev. Paul Weekley.

Also:

H. J. R. 160. Commending the Alabama YMCA Youth Legislature on its 25th Anniversary.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Reed (T) (With Notice and Proof):

H. 1861. Relating to Macon County, to amend Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) so as to raise the fee for issuance

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of pistol permits by the sheriff and to further provide for the distribution and use of such fees.

Local Legislation No. 1.

Notice and Proof H. 1861:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Macon County, to amend Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) so as to raise the fee for issuance of pistol permits by the sheriff and to further provide for the distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 2 of Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) are hereby amended to read as follows:

"Section 1. In Macon County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be eight dollars (\$8.00), and shall be collected by the sheriff.

"Section 2. Three dollars of each fee so collected shall be deposited in the general fund of Macon County, and five dollars shall be deposited into a fund to be designated The Sheriff's Fund, to be used by the sheriff for the betterment of law enforcement within the county."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of

Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

NEIL O. DAVIS.

Sworn to and subscribed before me August 2, 1973.

ALICE M. WHITE,
Notary Public.

By Mr. Reed (T):

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Local Legislation No. 1.

By Mr. Reed (T) (With Notice and Proof):

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Local Legislation No. 1.

Notice and Proof H. 1863:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff is hereby authorized to appoint not more than two (2) jailers whose salaries shall not exceed \$400 per month. Such salaries shall be fixed by the Sheriff and shall be payable from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed. Act 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), is hereby specifically repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly

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sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

NEIL O. DAVIS.

Sworn to and subscribed before me August 2, 1973.

ALICE M. WHITE,
Notary Public.

By Mr. Carter:

H. 1864. Relating to any counties having a population of not less than 39,500 nor more than 41,750, authorizing the county commission to set an expense allowance for county officials.

Local Legislation No. 1.

By Mr. Fite:

H. 1865. To make a conditional appropriation for the establishment and operation of a Southern Products Merchandising Mart.

Ways and Means.

By Mr. Mathews:

H. 1866. To levy a license tax on persons dealing in, selling or purchasing obsolete and wrecked automobile and trucks and in dismantling and reclaiming parts and accessories therefrom and in selling such parts and accessories; and, to exempt any person paying the license levied by this act from the license levied by Code of Alabama 1940, Title 51, Sections 462, 465, 541 and 620.

Ways and Means.

By Mr. Benton:

H. 1867. To establish an Alabama Trails System; to provide for the identification, reclamation, preservation, and protection of such lands of high scenic beauty, historic significance, and recreational quality as may be suitable for use in an Alabama Trails System; to establish categories of trails; to provide for a Statewide Trails Advisory Committee; to provide for the acquisition of land; and to provide for additional powers and duties for the Commissioner of the Department of Conservation and Natural Resources.

Conservation.

By Mr. McMillan:

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction of otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or

personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Local Legislation No. 2.

By Mr. McCorquodale:

H. 1869. To provide that in all contracts for public improvements awarded by the State or by any department, agency, board, commission authority or political subdivision thereof, including any municipality, county and any board, commission or agency of such municipality or county, the contractor may, from time to time withdraw the whole or any part of the amounts retained from payments due the contractor under the terms and conditions of such contract by depositing security in an amount at least equal to the amount of retainage withdrawn.

Commerce and Transportation.

By Mr. Casey (With Notice and Proof):

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Local Legislation No. 1.

Notice and Proof H. 1870:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 114, H. 333, Regular Session 1967 (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), is hereby amended to read as follows:

"Section 1. Each member of the governing body of Cleburne County in addition to their present salary of \$150 per month shall be entitled to receive an expense allowance of three hundred fifty dollars (\$350) per month. Such salary and allowance shall be the entire compensation of each such officer for the performance of the duties of his office. And the chairman of the county commission, board of revenue or other like governing body of Cleburne County shall not receive any salary for his services as chairman of said governing body but shall receive \$200 each three months as an expense al-

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lowance. Such salaries and allowances shall be paid out of any funds in the county treasury available for such payments according to law."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Mr. Casey (With Notice and Proof):

H. 1871. Relating to Cleburne County to provide for the payment of a clerk hire allowance in the probate judge's office.

Local Legislation No. 1.

Notice and Proof H. 1871:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County to provide for the payment of a clerk hire allowance in the probate judge's office.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cleburne County is hereby authorized to pay to the probate judge of Cleburne County a clerk hire allowance

not to exceed \$15,000 per annum, said sum to be paid out of the general fund of the county.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective on September 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

By Messrs. Adwell, Timmons, Wallace, Stubbs and Headley:

H. 1872. Amending Section 2 and 4 of Act No. 999, H. 288, Regular Session 1969 (Acts 1969, p. 1855) which established a peace officers' retirement fund, so as to provide for a member of the Sheriffs' Association of the Board of Commissioners of the fund; changing the quorum requirement.

State Administration.

By Messrs. Turner, Merrill, Cottingham, Lyons, McCorquodale, Agee, St. John, Warren, Harris, Hardin, Edwards, Stubbs, Slate, Parker, Ellis, Grainger, Pruitt, Adwell, Downing, Stokes, Wynot, Carnes, Coshatt, Reid (R), Grey (D), Reynolds, Cauthen, Goodwin, Chesnut, Flippo, Collins, Therrell, May, Benton, Jackson, Owens, Naramore, Crawford, Snell, Barkett, Mims, Lutz, King and Bank:

H. 1873. To provide for reapportionment of the two houses of the Legislature of Alabama so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

Constitution and Elections.

By Messrs. Turner and Cottingham:

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Local Legislation No. 1.

By Mr. Edwards (With Notice and Proof):

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1.

Notice and Proof H. 1875:

LEGALS
A BILL
TO BE ENTITLED
AN ACT

To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Autauga County is authorized, when the need exist, to provide protection against forest fires in Autauga County by participating in the Alabama Forestry Commission's fire protection program in the manner hereinafter specified.

Section 2. (a) After the Autauga County Governing body has determined that such a need does exist in Autauga County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax of five cents per acre to be paid by the owners of forest lands located in Autauga County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The needs for such a financial charge or tax to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two con-

secutive weeks by advertisement in a newspaper of general circulation in Autauga County. Such advertisement must indicate the date, time, and place of the hearing, the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Autauga County may appear in person or by attorney at such time and place and make defense against such financial charge or tax or the amount thereof. After such hearing the county governing body shall determine the amount thereof. After such hearing the county governing body shall determine the amount of such financial charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as herein defined, shall make report of same to the tax assessor of Autauga County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non payment of ad valorem taxes.

Section 5. The county governing body of Autauga County is authorized to appoint agents and delegate authority to individuals to search out forest lands in Autauga County, determine the area and owners thereof, and report same to the Tax Assessor of Autauga County who shall be authorized, after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge or tax against said forest lands as may be determined by the report of such agents or the determination of said county governing body.

Section 6. The tax herein imposed shall be due and payable quarterly to the state department of revenue, and shall, when collected, be paid by such department into the state treasury, and accredited to Autauga County. All monies collected in accordance with this Act shall be spent in participating in the Alabama Forestry Commission's forest fire protection program in Autauga County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks

without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me 31st day of July, 1973.

LINDA M. TRAYWICK,
Notary Public.

My commission expires January 6, 1976.

By Mr. Owens (With Notice and Proof):

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Act 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

Local Legislation No. 1.

Notice and Proof H. 1876:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act. No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: to provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to

a salary basis, such fee shall continue to be collected and paid into the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and provides for and regulates certain procedures in such court, is hereby amended to read as follows:

"An Act To provide further for the institution and prosecution of misdemeanor cases in certain inferior courts of Bibb County; to provide that the Clerk of the Circuit Court of Bibb County shall serve ex-officio as clerk of such inferior courts; and to authorize him when so serving to take oaths in support of complaints or affidavits, to issue warrants of arrest thereon returnable to such inferior courts, to receive pleas of guilty and to set the punishment therefor with the judge of the court making the formal minute or judgment entry on a subsequent date without the presence of the defendant."

Section 2. Section 1 of said Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, P. 1752), is hereby amended to read as follows:

"Section 1. The Clerk of the Circuit Court of Bibb County shall be Ex-Officio the Clerk of the County Court of Bibb County and also the Clerk of a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established in Bibb County. Prosecution of persons charged with misdemeanors in Bibb County, Alabama, may be begun, by affidavit made before the Clerk of the Circuit Court when serving as Ex-Officio Clerk of the County Court of Bibb County or when serving as Ex-Officio Clerk of such a Justice Court and warrant of arrest issued thereon by said clerk returnable to the County Court or the Justice Court as the case may be; and thereupon the jurisdiction of the County Court or the Justice Court, as the case may be, shall attach, and the case shall proceed to trial upon said affidavit and warrant in either of such courts, under the same rules and procedures as is provided by law in misdemeanor cases. The clerk shall be entitled to a fee of one dollar for each warrant issued, so long as he is compensated on a fee basis; but should the method of compensating the Circuit Clerk of Bibb County be changed to a salary basis, then such clerk when serving as Ex-Officio Clerk of either the County Court or of a Justice Court established under authority of said Act No. 2445, shall continue to collect the fee herein prescribed and shall pay said fee into the county treasury of Bibb County."

Section 3. The court cost and fees in the Justice Court herein created shall be the same as the court cost and fees charged in the County Court of Bibb County, Alabama and the disposition thereof shall be the same as that in the County Court.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF BIBB**

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first

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duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me August 6, 1973.

FRANCES N. BAKER,
Notary Public.

By Mr. Slate:

H. 1877. To amend further Act No. 819, H. 1283, regular session 1965 entitled "An Act to Amend Further Act No. 477, H. 861, regular session 1955 entitled 'An Act to Provide An Additional Expense Allowance for Circuit Judges of the Eighth Judicial Circuit; and to provide for the Manner of Payment of this Allowance.'"

Local Legislation No. 1.

By Messrs. Boles and Hughes:

H. 1878. To amend Sections 279, 280, 282, 283, 284, 285, 288 and 289 of Title 62 of the Code of Alabama of 1940.

Local Legislation No. 2.

By Messrs. Waldrop and Carnes:

H. 1879. Providing for a hemophilia treatment center and making an appropriation therefor.

Ways and Means.

By Messrs. Carnes, Wynot and Waldrop (With Notice and Proof):

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

Local Legislation No. 1.

Notice and Proof H. 1880:

NOTICE

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deard W. Thomas, an employee of the county until his accidental death on February 16, 1972.

Be It Enacted by the Legislature of Alabama:

Section 1. The Etowah County Commission is hereby authorized and empowered to appropriate the sum of \$4,000.00 from the general fund of the county to Mrs. Carolyn D. Thomas, widow of Deard W. Thomas, an employee of the county until his accidental death on February 16, 1972. This payment is in lieu of proceeds from non-contributory group life insurance which the county provides for all its employees but had inadvertently omitted including this employee under the group life insurance policy. Under these circumstances the county is morally obligated to pay, but the claimant has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, 11, and July 18, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 6, 1973.

LEO DRISKELL,
Notary Public.

My Commission Expires May 16, 1976.

By Messrs. Easters and Hardin:

H. 1881. To make appropriations from the State Treasury for capital improvements.

Ways and Means.

By Mr. Grey (D):

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

Local Legislation No. 1.

By Messrs. Ellis, Falkenburg, McNair, Dill, Hughes, Waggoner, Wallace, McMillan, Adwell, Gafford, McBride, Weeks and Boles:

H. 1883. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to provide that all members of the public school boards of education in such counties be required to reside within the area over which the particular school system has jurisdiction and to provide that where the board members are elected they shall be elected only by voters residing within that school district.

Local Legislation No. 2.

By Mr. Downing:

H. 1884. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

State Administration.

By Mr. Downing:

H. 1885. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

State Administration.

By Messrs. Hughes, Boles, Doss, Weeks, Ellis, Bowers, Meeks, Waggoner, McMillan, Gafford, McNair, Erdreich, Dill and McBride (With Notice and Proof):

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Local Legislation No. 2.

Notice and Proof H. 1886:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attor-

ney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Section 1. The Deputy District Attorney of the Bessemer Division of Jefferson County, Tenth Judicial Circuit of Alabama, is hereby empowered to appoint an Assistant Deputy District Attorney to prosecute all Misdemeanor and Preliminary hearings of felony cases in the County Court for the Bessemer Division of Jefferson County, by whatever name said County Court shall now or hereinafter be designated, who shall serve at the pleasure of said Deputy District Attorney. When said Assistant Deputy District Attorney is not engaged in the trial of cases in that Court, he shall perform such other duties in the office of the Deputy District Attorney, before the Grand Jury or in the Circuit Court of the Tenth Judicial Circuit, Bessemer Division, as the Deputy District Attorney may direct. The compensation of said Assistant Deputy District Attorney shall be Fourteen Thousand Dollars (\$14,000.00) per annum, payable in equal monthly installments out of the general funds of the County, as other salaries are paid.

Section 2. The provision of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared John M. McElroy, who being duly sworn, says on oath that he is Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: June 15, 22, 29, and July 6, 1973.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 6th day of July, 1973.

JOHN E. SMITH,
Notary Public.

By Messrs. Smith (P) and Mims:

H. 1887. To amend Section 10, Act No. 227, H. 2, Regular Session 1971 (Act 1971, p. 523), which Act authorizes and provides for the promo-

tion of production, distribution, marketing, use, improvement and sale of soy-beans.

Agriculture.

By Messrs. Grainger, Lutz, King and Hearn:

H. 1888. To require that all district attorney's fees taxed and collected in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the county composing such circuit.

Local Legislation No. 4.

By Mr. Cross (With Notice and Proof):

H. 1889. To provide for the semi-annual publication by the governing body of Lawrence County of an itemized account of all receipts and expenditures of said Lawrence County, and to provide penalty for failure to observe this law.

Local Legislation No. 1.

Notice and Proof H. 1889:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the semi-annual publication by the governing body of Lawrence County of an itemized account of all receipts and expenditures of said Lawrence County, and to provide penalty for failure to observe this law.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lawrence County is hereby required to publish semi-annually each year in some newspaper published in said county to be designated by a majority of the said governing body an itemized statement of all receipts and expenditures of the general fund of said Lawrence County. Any expenditures of less than Twenty Dollars (\$20.00) shall be published as miscellaneous expenses on said semi-annual report. In addition the salaries of all county employees may be published on such semi-annual statement as a six month total of salaries.

Section 2. On conviction for failure to make such semi-annual publications each member of such governing body of the county shall be fined not less than Two Hundred Dollars nor more than Three Hundred Dollars, with each failure to publish such semi-annual report constituting a separate offense.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, and 9, all in the year 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 9, 1973.

LeRUTH G. SLATON,
Notary Public.

By Messrs. Stubbs, Lyons and Smith (P):

H. 1890. To create the Alabama Science & Technology Commission; to provide for the members thereof and to provide for terms, compensation, duties and powers thereof; and to appropriate funds.

Ways and Means.

By Mr. Stubbs:

H. 1891. To create in the office of the governor the position of voting consultant to the governor; to describe the duties in connection with voter registration, elections and other matters; to make an appropriation which shall be expended solely for the compensation and expenses of such consultant and for legal counsel; providing further that none of such funds shall be expended in any manner for or against the candidacy of any person for public office.

Ways and Means.

By Mr. Stubbs:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

Local Legislation No. 1.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies

from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 1893:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act takes effect no officer or employee of Houston County or of any county department, board, bureau, committee, commission, institution, corporation, authority or other agency of the county shall appoint any person related to him within the fourth degree of affinity or consanguinity to any job, position, or office of profit with the county or with any of its agencies. Any person related to the appointing authority within the prohibited degree shall be ineligible to serve in any capacity with the county under authority of such an appointment and any appointment so attempted shall be void. Whoever violates this Act is guilty of a misdemeanor and shall be punished by a fine not to exceed \$500 or by imprisonment not to exceed one year, or both.

Section 1. (a). The provision of this act shall not apply to any individual or individuals employed as of the effective date of this act in any branch, department or bureau of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: May 14, 21, 28, and June 4, 1973 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office De-

partment from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 1st day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1894:

AN ACT

Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Houston County shall be entitled to a salary of Fifteen Thousand Dollars (\$15,000) per annum, payable in equal monthly installments from the general fund of the said county.

Section 2. This Act shall supersede (Act No. 1104, page 1935, Regular Session of the Legislature of Alabama 1971).

Section 3. This Act shall take effect on the expiration of the current term of office of the judge of probate.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, July 10, 17, 24, and 31, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 1st day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Therrell:

H. 1895. Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law in counties having popula-

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tions of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Local Legislation No. 3.

By Mr. Roberts:

H. 1896. Proposing an amendment to the Constitution relating to local government.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Jones (F), Harris, Barron, Taylor and Hobbie:

H. 1897. To propose an amendment to the Constitution of Alabama to provide for a board of trustees to manage and control Alabama State University at Montgomery.

Education.

The above bill was read a first time at length as required by the Constitution.

By Mr. Culver:

H. 1898. Relating to counties having a population of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; restricting the use of county equipment; charging the county commission with the responsibility for the proper use of county equipment and prescribing penalties for violation of any of the provisions of this Act.

Local Legislation No. 1.

By Messrs. Grainger, Hearn and King:

H. 1899. To propose an amendment to the Constitution of Alabama to provide for a board of trustees to manage and control Alabama Agricultural and Mechanical University at Normal, Alabama.

Education.

The above bill was read a first time at length as required by the Constitution.

By Mr. Turnham (With Notice and Proof):

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Local Legislation No. 1.

Notice and Proof H. 1900:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act, No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the

Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Be It Enacted by the Legislature of Alabama:

Section 1. JURISDICTION.

There is hereby established a Small Claims Division of the Court of Common Pleas of Lee County. This division of this Court shall be presided over by the Judge of said Court. The Small Claims Division of said Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The judge or clerk or his deputy shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgment, or as provided by law.

Section 2. SERVICE OF PROCESS.

Personal service of process shall be executed by any lawful officer or constable, and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the Small Claims Division is effected on the person to be served by delivering to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employment, and in either event informing such person of their contents. In the alternative, process may be made by certified mail, addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the Court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he has a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to reserve the defendant. After service of process has been executed and perfected on the defendant was required by law, the defendant shall appear and answer thereto within five days, and the process shall so recite.

Section 3. COURT COSTS.

The filing fee for claims of amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges except for service of process shall be assessed the plaintiff or claimant in the Small Claims Division; but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the Judge.

Section 4. PROCEDURES AND FORMS

The procedures and forms of the Small Claims Division shall be prescribed by the Judge of the Court, and the Clerk or his deputy shall assist the plaintiff in the preparation thereof upon request. The Clerk shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the small claims division; but any party may request that his case be tried before the Judge of the Court of Common Pleas.

5. COMPENSATION.

The county governing shall have authority to compensate the Judge and Clerk for the additional duties imposed upon them, respectively by this Act.

Section 6. SEVERABILITY.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. EFFECTIVE DATE.

This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
LEE COUNTY

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the OPELIKA-AUBURN DAILY NEWS, a newspaper of general circulation, published in Lee County, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, 23, 30 and August 6, all in the year 1973.

MILLARD B. GRIMES,
Publisher.

Sworn to and subscribed before me on this the 7th day of August, 1973.

C. C. TORBERT, JR.,
Notary Public.

My Commission Expires August 10, 1974.

By Mr. Dill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Local Legislation No. 2.

By Mr. Reid (R) (With Notice and Proof):

H. 1902. To alter, rearrange and extend the boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 1902:

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama of 1973 for the adoption of an act which will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1:

The boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

The $S\frac{1}{2}$ of the $NE\frac{1}{4}$; the $NW\frac{1}{4}$ of $NE\frac{1}{4}$; the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ all in Section 14; the $S\frac{1}{2}$ of the $NE\frac{1}{4}$ and the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of $NE\frac{1}{2}$ all in Section 15; the $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 9; the $S\frac{1}{4}$ of Section 10, and two acres in the noreast corner of the $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 10; the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 11; the West 300 feet of the $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Section 11; all in Township 14 South, Range 2 West, situated and being in Blount and Jefferson Counties Alabama.

Section 2:

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of June 23, 30, July 7, and 14, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 16th day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

NOTICE OF PROPOSED
LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1:

The boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

The $S\frac{1}{2}$ of the $NE\frac{1}{4}$; of $NW\frac{1}{4}$ of $NE\frac{1}{4}$; the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ all in Section 14; the $S\frac{1}{2}$ of the $NE\frac{1}{4}$ and the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of $NE\frac{1}{4}$ all in Section 15; the $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 9; the $S\frac{1}{4}$ of Section 10, and two the $SW\frac{1}{4}$ of Section 11; the West 300 feet of the $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Section acres in the northeast corner of the $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 10; the $S\frac{1}{2}$ of 11; all in the Township 14 South, Range 2 West, situated and being in Blount and Jefferson Counties, Alabama.

Section 2:

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 7th day of June, 1973.

JANE HILL,
Notary Public.

By Messrs. Nettles, Collins, Wood, Stokes, Callahan, Therrell, Roberts, Perloff, Lyons and Downing:

H. 1903. Proposing an amendment to the Constitution of Alabama authorizing the levying of a special property tax in Mobile County for the purpose of carrying out the operation and programs of the County Health Department, including a program to control mosquitoes, rodents and other vectors of public health and welfare significance.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Mr. Turnham:

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Local Legislation No. 1.

By Mr. O'Daniel:

H. 1905. To make it a misdemeanor to obtain or receive ambulance service without intending to pay or to falsely report that an ambulance is needed; to provide penalties for violation.

State Administration.

By Mr. Gafford:

H. 1906. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

Local Government.

By Messrs. Roberts, Stokes, King, Falkenburg, Weeks, Doss, Crowe, Bank, Agee, Nettles, Waldrop, Jones (F), Coshatt and Gray (F):

H. 1907. To amend Sections 2, 3, 5, 6, 7, 8, and 10 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, and to repeal Section 4 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said Act creating the Board of Nursing, relating to Nursing and the practice of Nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violations of said Act.

Health.

By Messrs. Flippo and Lang:

H. 1908. To establish length and periods of time for law enforcement officers in which they would be recognized for service to the state by increased allowances.

Ways and Means.

By Messrs. Lutz, Grainger, King, Hearn and Hale (With Notice and Proof):

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

Local Legislation No. 4.

Notice and Proof H. 1909:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Pertaining to Madison County, to consolidate the office of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of Register in Chancery of the 23rd Judicial Circuit of Alabama is hereby abolished and all duties and functions of said office, as heretofore provided by law, or as may hereafter be provided by general law for Registers in Chancery, are transferred to the Circuit Court Clerk of said circuit; it being the intent of this Act to grant and convey to said Clerk all the powers, authority, immunities, privileges and duties heretofore held and exercised by the said Register in addition to said Clerk's regular duties and functions provided by law. In assuming such authority and duties said Circuit Court Clerk shall collect and lawfully disperse all fees heretofore or hereafter provided by law to be collected and distributed by Registers of Circuit Courts. All files, papers, documents and equipment of the said Regis-

ter shall be delivered to custody of said Clerk. All outstanding accounts receivable by the Register in Chancery aforesaid are hereafter to be collected and dispersed by the said Clerk as heretofore provided by law for the Register and as if collected and dispersed by said Register.

Section 2. The aforesaid Circuit Court Clerk shall appoint the person now serving as Register of the 23rd Judicial Circuit as a Deputy Circuit Court Clerk. Said person shall serve as Deputy Circuit Court Clerk and shall be compensated from the General Funds of Madison County under the provisions of the Madison County Personnel Act, provided that the compensation of said person shall be no less than the annual compensation being received at the date of passage of this act, and provided further that the person so appointed shall have the same rights of tenure, if any, which he or she has upon the effective date of this Act. Upon the death, resignation or removal from office of such deputy clerk, said office shall be eliminated and abolished. The Circuit Clerk shall also appoint the administrative or clerical personnel serving in the office of the Register of the Twenty-third Judicial Circuit on the effective date of this Act to serve in like capacities in the office of the Circuit Court Clerk, and such personnel shall be compensated and subject to the provisions of the Madison County Personnel Act.

Section 3. The office of Clerk of the Madison County Court and Clerk of any court successor to the jurisdiction of the Madison County Court is hereby abolished. The Clerk of the Circuit Court, 23rd Judicial Circuit shall be ex-officio clerk of the Madison County Court or of any court succeeding to the jurisdiction of the Madison County Court. As such ex-officio Clerk, the said Clerk shall have the same powers and discharge the same duties as devolve upon the Clerk of the Madison County Court. These duties and powers shall be exercised and discharged in addition to those duties and powers heretofore or hereafter provided for Circuit Court Clerks. As such ex-officio Clerk of the County Court or the successor to its jurisdiction, the said Clerk shall collect and lawfully disperse all fees heretofore or hereafter provided by law to be collected and dispersed by County Court Clerks or by the Clerk of the Madison County Court or any court successor to its jurisdiction. All files, papers, documents and equipment of the Clerk of the Madison County Court shall be delivered to the custody of the Clerk of the Circuit Court of said circuit. All outstanding accounts receivable by the Clerk of the Madison County Court or by the Clerk of any court successor to its jurisdiction are hereafter to be collected and dispersed by said Circuit Clerk as heretofore provided by law for the Clerk of the County Court as if collected and dispersed by the Clerk of the Madison County Court.

Section 4. The Clerk of the 23rd Judicial Circuit shall appoint the person now serving as Clerk of the Madison County Court as a Deputy Circuit Court Clerk. Said person shall serve as a Deputy Circuit Court Clerk under the provisions of the Madison County Personnel Act, provided that the compensation of said person shall be no less than the annual compensation being received at the date of passage of this Act. Upon the death, resignation or removal from office of such deputy clerk, said office shall be eliminated and abolished. The Circuit Court Clerk shall also appoint administrative or clerical personnel serving in the Madison County Court or any successor court on the effective date of this Act in like capacities. Such personnel shall be compensated under the provisions of the Madison County Personnel Act.

Section 5. The Clerk of the 23rd Judicial Circuit shall, subject to the approval of the presiding judge of the Twenty-third Judicial Circuit, appoint,

subject to the provisions of the Madison County Personnel Act, a Court Administrator who shall be a Deputy Circuit Court Clerk. In addition to the other duties which may be imposed upon him by the Circuit Court Clerk, said Court Administrator shall have the following duties:

(1) He shall work with the circuit court clerk and with the judges of the Twenty-third Judicial Circuit and the Madison County Court, or any successor court, to compile, obtain and digest information concerning the administration of justice in the Twenty-third Judicial Circuit.

(2) He shall serve as the agency to apply for and receive any grants or other assistance and to coordinate and conduct studies and projects in connection with the improvement of the administration of justice in the Twenty-third Judicial Circuit.

(3) He shall carry on or assist in programs designed to aid in the continuing legal and judicial education of judges, clerks, and other court personnel.

(4) He shall prepare and administer the court's budget, fiscal, accounting, and procurement.

(5) He shall administer the space available to the court, maintain it, and assist in planning new space at renovation.

(6) He shall assist the judges in the Twenty-third Judicial Circuit and in Madison County in gathering information needed in the management of any pre-trial release program in operation in Madison County.

(7) He shall establish procedures for the management of the jury system.

(8) He shall prepare and submit to the court at least annually, a report of the activities and the state of business of the court. This document shall be published by the court and shall include a description of innovations and modifications introduced to improve the court.

(9) He shall supervise and administer a system for the appointment of counsel for indigent criminal defendants.

(10) He shall perform such other duties as may be established by court rules.

Section 6. The three Deputy Circuit Court Clerks herein provided for shall work under the supervision of the Circuit Court Clerk.

Section 7. The purposes of this Act are to effect efficiency and economy in the operation of the courts of Madison County, but it is the will of the Legislature that this Act be implemented in a spirit of understanding and compassion for the capable and loyal personnel now serving in the offices of Circuit Court Clerk, Register in Chancery and the Madison County Court or any successor court and that this Act shall not require any reduction in force in the personnel performing the functions now performed by those offices except through the normal process of attrition. It is, however, the further intention of the Legislature that this Act be utilized to reduce duplication of effort whenever possible.

Section 8. The Clerk of the 23rd Judicial Circuit of Alabama shall receive an annual salary of Twenty thousand dollars (\$20,000.00) to be paid in equal monthly installments from the General Fund of Madison County.

Section 9. The provisions of this Act are severable and the declaration of any part as unconstitutional or invalid shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 19, 26, August 2 and 6, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 6th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Crowe and Naramore:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunchroom employees of boards of education of such counties.

Local Legislation No. 1.

By Messrs. Crowe and Naramore:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

Local Legislation No. 1.

By Messrs. St. John, Parker, Robertson, Bank, Culver, Merrill, Manley, Cauthen, Hill and Drake:

H. 1912. To authorize the Alabama Public School and College Authority to sell and issue \$7,500,000 aggregate principal amount of additional bonds to provide for the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities at The Uni-

versity of Alabama located in Tuscaloosa, Alabama, for public legal educational and allied purposes, including law research and revision, law enforcement training, public service, continuing legal education, and clinical law training and for facilities for the Communications sciences; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Ways and Means.

By Mr. Downing:

H. 1913. To amend Section 24 of Act No. 3, H. B. 4, 2nd Special Session 1971 (Acts 1971, p. 4104), entitled "To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973" which section relates to the annual appropriations for the support, maintenance, and development of public education at the University of South Alabama, so as to further regulate the annual appropriation to said University for the fiscal year ending September 30, 1973.

Ways and Means.

By Mr. Headley (With Notice and Proof):

H. 1914. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Maplesville, in Chilton County.

Local Legislation No. 1.

Notice and Proof H. 1914:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Maplesville, in Chilton County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Maplesville in Chilton County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to-wit:

The N.W. $\frac{1}{4}$ and the S. W. $\frac{1}{4}$ of Section 17, Township 21, Range 12, Chilton County, Alabama.

The N. W. $\frac{1}{4}$ of Section 20 and the S. W. $\frac{1}{4}$ of Section 20, all of Township 21, Range 12, Chilton County, Alabama.

All of Section 28, Township 21, Range 12, Chilton County, Alabama.

All of Section 29, Township 21, Range 12, Chilton County, Alabama.

All that area South of the North line of Section 16, Township 21, Range 12, and East of Mulberry Creek and West of the East line of Section 16 and Section 21, both of Township 21, Range 12, Chilton Co., Alabama.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned, Notary Public in and for said county and state, Tommy M. Patterson, Publisher of the Central Alabama Independent Advertiser, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of June 20, 27, July 4, and 11, 1973.

TOMMY M. PATTERSON,
Publisher.

Subscribed and sworn to before me this 26th day of July, 1973.

HELEN ATKINSON MOORE,
Notary Public.

By Messrs. McDonald, St. John and Drake (With Notice and Proof):

H. 1915. Relating to Marshall County; to authorize and permit grocery stores to remain open on Sunday provided any such grocery store does not have on duty in such stores more than three employees at any one time

on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

Local Legislation No. 1.

Notice and Proof H. 1915:

LEGAL NOTICES

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County; to authorize and permit grocery stores to remain open on Sunday provided any such grocery store does not have on duty in such stores more than three employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. It is the finding and policy of the Legislature that the maintenance of the public health is of vital importance to the general welfare of the State and its people. This is particularly true where there are large concentrations of population. For the protection of the public health and general welfare it is deemed essential that one day be set aside each week as a day of rest and relaxation in this county. This can best be accomplished and the enforcement thereof can best be policed by setting aside Sunday which is generally recognized and observed as a day of rest. Section 420 Title 14—Code of Alabama, 1940, as amended, has made unlawful the general performance of labor and other activities on Sunday and has provided penalties for the violation thereof subject to certain enumerated exceptions which are deemed by the Legislature to be reasonable and necessary. The Legislature further finds and declares that in order to enjoy such a day of rest and relaxation that the public should be given the right as an additional exception to said Section 420 to purchase on Sunday goods usually and normally sold in grocery stores subject to reasonable restrictions on the number of employees that may be employed in such stores selling such goods on Sunday. It is further the finding of the Legislature that a reasonable restriction on the number of employees would be to permit to remain open on Sunday for the sale of such goods only those stores that have no more than three employees on duty at any one time on Sunday. The Legislature further finds that there is a public necessity for the purchase on Sunday of merchandise usually and normally sold in grocery stores and that this necessity must be met but that reasonable restrictions as set out above should be placed thereon.

Section 2. It shall be lawful for any grocery store in Marshall County to remain open on Sunday providing that such grocery store does not have on duty in such store more than three employees at any one time on Sunday; provided that each such grocery store shall first obtain a special license to operate on Sunday from the license issuing officer of such county. The license

issuing officer of such county shall issue a license only to such individual grocery stores or outlets as shall pay a license fee of \$25.00 and only to such individual grocery stores or outlets in each community as are determined to be required by the public convenience and necessity. All license fees shall be paid into the general fund of such county.

Section 3. All parts of general or local laws in conflict herewith are hereby repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edwin H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 19, 26, and August 2, all in the year 1973.

EDWIN H. REED.

Sworn to and subscribed before me August 6, 1973.

WILLENE M. CLARK,
Notary Public.

By Messrs. McDonald, St. John and Drake (With Notice and Proof):

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

Local Legislation No. 1.

Notice and Proof H. 1916:

LEGAL NOTICE PROPOSED LEGISLATION

STATE OF ALABAMA, COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and duties of the Marshall County Commission with reference to such Salary Commission.

Section 1. A Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County, hereinafter referred to as Clerk, and of the office of the Register of the Circuit Court of Marshall County, hereinafter referred to as Register, is hereby created. That said Commission shall consist of five members, who shall serve without compensation, and who shall be the two senior Circuit Judges of the Circuit Court of Marshall County, the senior Judge of the highest court in Marshall County other than the Circuit Court or the Probate Court of Marshall County, the Chairman of the Marshall County Commission and one other member of the Marshall County Commission, to be selected by such Marshall County Commission by majority vote. That said Commission shall have a chairman, who shall be selected by majority vote of the Commission. Three members of such Commission shall constitute a majority when properly convened, and said Commission by reason of such majority may exercise all the powers and duties herein provided. Said Commission shall meet on the Friday after Labor Day of each year at 3:00 p.m., and at such other times as may be necessary. The Chairman of said Commission or any three members of said Commission may call an official meeting at a specific time and at a designated place at either of the courthouses in Marshall County, and shall give notice to the other members of the time, place and purpose of any such meeting and may exercise any of its powers or duties as herein conferred at any such annual or special meeting. That in the event any official designated to be a member of said Commission is ineligible or fails or refuses to serve for any reason, then, such official shall appoint a qualified elector of Marshall County of good character to serve on the Commission in his stead, and shall notify the Marshall County Commission, in writing, of his reason for not serving and the name and address of the person who shall serve on the Commission in his stead. The Chairman of the Commission shall appoint a secretary of said Commission, who may or may not be a member thereof and who shall keep minutes and appropriate records of all meetings and of all official acts of the Commission.

Section 2. That said Commission shall have the power and duty to determine the number of employees of the office of the Register and the number of employees of the office of the Clerk, the total compensation of the employees of the office of the Clerk, and the total compensation of the employees of the office of the Register. That on or before the annual meeting of said Commission the Clerk and the Register shall submit to said Commission a report designating the number of employees needed to carry out the work and duties of their respective offices and the proposed compensation for each such employee, and upon a special meeting of such Commission the Clerk and the Register shall furnish such information or make such reports as the needs of their respective offices shall then require. By majority vote, said

Commission shall determine the number of employees needed by the Clerk and by the Register and the total compensation to be paid to the employees of the Clerk and to the employees of the Register. Said Commission shall, then, prepare a report to be signed by the Chairman or by three members of such Commission, specifying the number of employees for each of said offices and the total compensation of each of said offices for the employees of such offices, and such report shall then be delivered to the Marshall County Commission, and the Clerk and the Register shall deliver a report to the Marshall County Commission designating the names of the employees that they desire to employ or who are then employed, and the salary for each such person, and that such salaries shall not exceed the total compensation allowed by the Commission for such offices.

Section 3. The Clerk and the Register shall retain the full authority and right to designate who the employees in their respective offices shall be and any such employee shall serve at the will or the pleasure of said Clerk or Register, and any vacancy shall be filled by the said Clerk or Register. That the Clerk or the Register shall notify the Marshall County Commission when any vacancy occurs, and when such vacancy has been filled, and the names of the employees and the salaries involved. The Clerk or the Register may, at their will, change any employee or their salary in their respective offices, but the total compensation may not exceed that as fixed by the Commission for such office. Nothing herein shall be construed as giving said Commission the power or authority to manage either the Clerk's office or the Register's office or to select the employees or to determine the specific duties of employment of any employee. The total of compensation and the number of employees of either the Clerk's office or the Register's office may be changed by such Commission from time to time as the needs of said offices may require. The total compensation of each office shall be determined on an annual basis, with the fiscal year being from October 1 through September 30, and if any change is made therein after the annual meeting such change shall be effective for the balance of the fiscal year in which such change is made. The Salary Commission's first meeting shall be on the Friday after Labor Day of 1973, and it shall fix and determine employees and salary of the office of the Clerk and the office of the Register, respectively, as herein provided, for the fiscal year commencing October 1, 1973, and for subsequent years.

Section 4. The Marshall County Commission shall pay the said employees of the Clerk and the Register as provided herein, in the same form and manner as other employees of the county are paid.

Section 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the

REGULAR SESSION
27th Day

2585

State of Alabama, said notice having appeared in the issues of said paper on June 14, 21, 28, and July 5, all in the year 1973.

EWELL H. REED.

Sworn to and subscribed before me July 25, 1973.

MARTHA JANE SAYLOR,
Notary Public.

By Mr. Casey:

H. 1917. Relating to any county having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; further regulating the compensation of members of the county commission and the ex officio chairman of said county commission.

Local Legislation No. 1.

By Mr. Parker:

H. 1918. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

Local Legislation No. 1.

By Messrs. Hill and Flippo (With Notice and Proof):

H. 1919. Relating to Lauderdale County; authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations.

Local Legislation No. 1.

Notice and Proof H. 1919:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Commission is hereby authorized to provide adequate parking for petit jurors, grand jurors, witnesses and employees of the state and county having offices in the county courthouse. Said commission may furnish such parking through the acquisition and operation of parking lots by contracting with any private or public agency for such purpose, under such terms as it may deem necessary and desirable, or by reimbursing those persons covered by this act for their reasonable personal expenses in securing parking.

Section 2. Upon the request of the said commission, the sheriff of Lauderdale County shall deputize the county engineer or any other employee of the engineering department or of the sheriff's office to enforce one hour parking limitations and restricted zone limitations on motor vehicles parking on said county's property around the courthouse during courthouse hours, and said deputy shall have the authority to place a parking ticket on any motor vehicle violating these regulations. Said deputy shall be further authorized to place tickets on motor vehicles blocking other vehicles lawfully parked or parked in spaces not provided for public parking.

Section 3. The violation of any provision of this act shall constitute a misdemeanor and the fine therefor shall be set at \$3.00 plus court costs; provided, that in the event said fine is voluntarily paid within fifteen days from the date of such violation, no court costs nor any other fees shall be charged in connection therewith. In the event said fine is not paid within fifteen days from the date of such violation, the deputy shall proceed to handle said case as in other traffic cases made by the sheriff of said counties.

The clerk of the county court is authorized to accept payment of said fines or court costs as the case may be and to remit the fines to the general fund of Lauderdale County, and to disperse the court costs as provided by law.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations.

As published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space here given, as follows: June 23, 30, July 7, and 14, 1973.

Florence, Ala., July 14, 1973.

BILL HARRISON.

Sworn to before me this 14th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public.

My Commission Expires December 13, 1976.

By Mr. Cottingham:

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Local Legislation No. 1.

By Messrs. Flippo and Hill (With Notice and Proof):

H. 1921. Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

Local Legislation No. 1.

Notice and Proof H. 1921:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county

government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Commission shall determine the needs of each department of county government, the projected cost of operating each department and the anticipated revenue which may be available for the operation of the county government and shall fix the budget for the cost of operating all departments within the limits of the anticipated revenue of the county. In making such determinations, said commission may require the head of each department to file a report containing an inventory of its property and the condition thereof, its present and future needs, a cost estimate, including salaries, equipment and all other necessary expenditures and any other appropriate information it may desire. Upon the establishment of such budget, the head of each department shall expend county funds within the limits fixed by the said commission, and may be held liable for any expenditures in excess of such limits.

Section 2. The said county commission shall be further authorized to fix policies respecting the observance of holidays, to establish and promulgate rules, regulations and procedures respecting vacations and sick leave for all county employees, and to enforce such policies, rules and regulations.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of:

STATE OF ALABAMA COUNTY OF LAUDERDALE

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

REGULAR SESSION
27th Day

2589

As published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: June 23, 30, July 7, and 14, 1973.

Florence, Ala., July 14, 1973.

BILL HARRISON.

Sworn to before me this 14th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public.

My Commission Expires December 13, 1976.

By Messrs. Flippo and Hill (With Notice and Proof):

H. 1922. To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services.

Local Legislation No. 1.

Notice and Proof H. 1922:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Lauderdale County board of registrars shall be paid \$15.00 for each day he performs his official duties which shall be paid for by the State of Alabama.

Section 2. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of:

STATE OF ALABAMA,
COUNTY OF LAUDERDALEA BILL
TO BE ENTITLED
AN ACT

To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services.

Be It Enacted by the Legislature of Alabama:

As published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: June 23, 30, July 7, and 14, 1973.

BILL HARRISON.

Sworn to before me this 14th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public.

My Commission Expires December 13, 1976.

By Mr. Parker (With Notice and Proof):

H. 1923. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

Notice and Proof H. 1923:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

SYNOPSIS:

This bill proposes a constitutional amendment relative to the authorization for the levy and collection of a special property tax and for the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas and other recreational purposes.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of

bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the constitution is proposed and shall become valid as a part thereof when approved by the qualified electors and proclaimed by the Governor as prescribed by law:

PROPOSED AMENDMENT

"The county commission or like governing body of Tuscaloosa County shall have the power to levy and collect a special property tax, in addition to all other taxes, now or hereafter authorized by the Constitution and laws of Alabama, of not exceeding 10 mills on each dollar's worth of taxable property in the county as assessed for state taxation during the preceding year, the proceeds of which shall be used exclusively for developing parks and multi-recreation areas and facilities, and for other recreational purposes; provided that such tax and the purpose or purposes thereof, and the time such tax is proposed to be continued shall have been first submitted to the vote of the qualified electors of the county and voted for by a majority of those voting at such election. Such governing body may also become indebted, and in evidence of such indebtedness issue and sell interest bearing bonds in an amount not to exceed \$20,000,000.00 in principal amount, provided that before the issuance of such bonds the question of whether such bonds shall be issued shall have first been submitted to and approved by the qualified electors of Tuscaloosa County at an election. Both the question of levying the tax and the issuing and selling of bonds may be submitted at the same election; or either question may be submitted at a separate election. Either the tax may be levied but no bonds issued, or bonds may be issued and no tax levied hereunder, if other funds are available for the payment of the bonds. The proceeds from taxes levied under authority of this amendment and of all bonds issued hereunder shall be used for developing parks and multi-recreation areas and facilities and for other recreational purposes and all or any part thereof may be appropriated to any county park and recreation authority duly organized and existing pursuant to law in such county and by such authority used for the above-named purposes. The elections provided for herein shall be called, held, conducted and canvassed, and may be contested, in the manner provided by law for the calling, holding, conducting, canvassing and contesting of county bond elections, and if the levy of the tax or the issuance of said bonds shall be authorized at any such elections, the tax may be levied and bonds may be sold and issued from time to time in the manner provided by law for the authorization and sale of county bonds. In the event the voters of Tuscaloosa County do not authorize the levy of the tax or the issuance and sale of said bonds at any election called hereunder then other elections may be called by the governing body of Tuscaloosa County from time to time until the voters of Tuscaloosa County do authorize the levy of the tax or the issuance and sale of said bonds; provided that no two elections shall be held within one year of each other. The indebtedness herein authorized shall be in addition to all other indebtedness authorized prior to the adoption of this amendment."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final ad-

journment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, 20, 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Parker (With Notice and Proof):

H. 1924. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Local Legislation No. 1.

Notice and Proof H. 1924:

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the

county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or like governing body of Tuscaloosa County shall order an election to be held in such county within one year from the effective date of this Act for the purpose of determining whether or not a special tax shall be levied in such county for the development of parks and multi-recreation areas and facilities in such county and also for the purpose of determining whether or not money shall be borrowed, bonds shall be issued and the proceeds of the tax shall be pledged to the payment thereof for such purposes.

Section 2. Notice of the election shall be published in some newspaper within the county, which publication shall show the rate of the proposed tax, the time it is proposed to be continued and the purpose or purposes for which the levy is proposed to be made. This notice shall also state the principal amount of the bonds it is proposed to issue.

Section 3. The inspectors and officers of the election shall be appointed and the election shall be held and the result of the election shall be declared in the same manner and by the same officers as is the result of the regular election for county officers under the general laws of the state.

Section 4. All persons who are at the time of the election qualified electors in Tuscaloosa County shall be qualified electors to participate in the election.

Section 5. The county commission or like governing body of Tuscaloosa County shall provide a sufficient number of ballots or voting machines for each voting precinct within said county. Each ballot shall show the rate of the proposed tax, the time it is to be continued, and an itemization of the purpose or purposes for which the tax is levied, and shall provide for a vote "for the proposed taxation," and a place for a vote "against proposed taxation." The ballot shall also contain the question. "Do you favor the issuance of bonds for the above-mentioned purposes in the principal amount of dollars?" It shall also contain a place for a vote for and a vote against such bond issue.

Section 6. The officers, including the sheriff, shall perform the same duties, and receive the same pay as provided for under the general election laws aforesaid, and all costs and fees of said election shall be paid out of the county treasury of Tuscaloosa County.

Section 7. If a majority of the qualified electors voting at such election vote for the proposed taxation and for the proposed bond issue, the county commission or like governing body of Tuscaloosa County shall levy said special tax and cause the tax assessor to assess the same on the taxable property in Tuscaloosa County, and shall provide for the issuance and sale of such bonds in the manner prescribed by law for the issuance and sale of other county bonds.

Section 8. The tax collector of Tuscaloosa County shall collect such special tax in the same manner and under the same requirements and laws as

taxes of the state are collected, and shall keep said amount separate and apart from all other funds and keep a clear and distinct account thereof. The county governing body may turn the proceeds of such tax over to any park and recreation authority heretofore established and existing pursuant to general law in Tuscaloosa County to be used for the purposes for which the tax was levied.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 11. The provisions of this Act shall become effective upon the ratification of an amendment to the Constitution of Alabama of 1901, proposed by an Act of the 1973 Regular Session, authorizing a special ad valorem tax and the issuance of bonds for park and recreational purposes in Tuscaloosa County.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, 20, 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

By Messrs. St. John, Drake, Flipppo, Crowe, Adwell, Wallace, Lutz, Robertson, King, Grainger, Carter, Cross, Chesnut, Porter, Dill, Goodwin, Bassett, Fite, Cottingham, Ellis, Boutwell, McCorquodale, Mims, Wise, Wood, Burgess, Perloff, Cauthen, Owens, McBride, Stubbs, Brassell, Snell, Warren, Turner, Agee, Downing, Jones (F), Waggoner, Carnes, Wynot, Parker, Erdreich, Doss, McMillan, Falkenburg, Barron, Stokes, Slate, Stewart, Casey, McDonald, Adams, McCluskey, Pruitt, Roberts, Harris, Jackson, Benton, Hardin, Therrell, Naramore, Bank, Headley, Gray (F), McNair, Coshatt, Merrill, Reed (T), Crawford, Connell, Reid (R), Grey (D), Callahan, Hearn, Meeks, Bowers, Smith (P), Weeks and Culver.

H. 1925. To amend Sections 718, 719, 721, 728, 732, 741, 742 and 742(1) of Title 51, Code of Alabama 1940, as amended, to provide for the collection of the tobacco tax on tobacco products other than cigarettes by the filing of monthly reports, and to confine the requirements as to affixing reve-

nue stamps to such products to cigarettes, and where needed to provide additional procedure to do so. To also under Section 728 of Title 51, reduce the discount on the sale of revenue stamps to three percent. To also repeal any provisions of law in conflict herewith.

Ways and Means.

RESOLUTION

The following resolution was introduced:

By Mr. Dill:

H. J. R. 175. URGING THE STATE EXAMINERS OF PUBLIC ACCOUNTS TO AUDIT THE BOOKS, RECORDS AND ACCOUNTS OF THE CITY OF MIDFIELD, ALABAMA.

WHEREAS, the City of Midfield, Alabama has requested the State Auditor and the Examiners of Public Accounts to audit the books of that city and that city's board of education; and

WHEREAS, neither of these public agencies has responded to the requested audits and the City of Midfield is still desirous of such audits; and

WHEREAS, Title 55, Section 160(1), Code of Alabama 1940 authorizes and requires the Division of Public Examiners to audit the records and accounts of any city board of education upon request; and

WHEREAS, the governing body of the City of Midfield is authorized to request an audit of the records and accounts of its city pursuant to Title 37, Section 81, Code of Alabama 1940; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature strongly urges the State Department of Examiners of Public Accounts to audit the books, records and accounts of the City of Midfield and of the City of Midfield Board of Education.

BE IT FURTHER RESOLVED, that such audits be performed within 90 days after passage of this resolution.

The resolution, H. J. R. 175, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

S. J. R. 53. Commending the Alabama YMCA Youth Legislature on its 25th Anniversary.

Also:

H. J. R. 139. Establishing the Executive Interagency Consumer Health Education Committee.

Also:

H. J. R. 65. Urging the Federal Power Commission to issue a license for the proposed Crooked Creek Hydroelectric Project.

Also:

H. J. R. 104. Naming a public road in Coffee County in honor of General Allen M. Burdett.

Also:

S. J. R. 80. Urging the United States Interior Department to open Federal lands off the Alabama coast for bidding for purposes of exploring for oil and natural gas.

Also:

H. J. R. 11. Expressing strong protest and opposition to the Voting Rights Act of 1965 and urging its repeal.

And the resolutions were adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 484. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Stubbs:

H. J. R. 176. WHEREAS Alabama has more than 1,000 ante-bellum homes, several thousand domestic structures constructed between 1865 and 1900 and ten of thousands of additional homes built prior to 1925; and

WHEREAS these stately pre-1861 mansions, one hundred-year-old cottages, and turn-of-the-century residences are among Alabama's most significant heritage assets; and

WHEREAS many of these architecturally noteworthy and historic homes are deteriorating due to neglect and changing commercial, residential and population patterns; and

WHEREAS hundreds of restored landmarks and dozens of stabilized, revitalized older communities are popular tourist attractions for pilgrimages and tours as well as appealing to sightseers for their restored exteriors and landscaped surroundings; and

WHEREAS Alabama families, particularly young married couples, are reclaiming the flavor and fiber of our rich heritage by adapting these domestic landmarks.

NOW, therefore be it resolved that the Alabama Legislature herewith establishes a State "Live in a Landmark Council" to work with the Alabama Historical Commission to promote the preservation, restoration, stabilization, adaptation and rehabilitation of separate and clustered domestic landmarks throughout the State by encouraging Alabamians to restore and live in these landmarks.

The Chairman and the members of the State Council shall be appointed by the Governor from lists of three nominees for each position submitted to the Governor by the Alabama Historical Commission. In addition to the Chairman, one member will be appointed from each Congressional District and three members will be appointed from the State at large. The Commission's Executive Director will serve as ex-officio member of the Council. The Commission may nominate either individuals or husband and wife units and the Governor may appoint the same.

Members will serve terms of four (4) years each except that initially members from even numbered congressional districts and two of the three members appointed from the State at large will serve terms of two (2) years each or until successors are appointed. After the expiration of the term of initial members, all members will be appointed to terms of (4) years each or until successors are appointed. All members of the Council will automatically serve as members of the Board of Advisors of the Alabama Historical Commission. Members of the Council will serve without compensation and will meet at least once a year at the time of the Annual Meeting of the Alabama Historical Commission.

The State "Live in a Landmark" Council is charged to, in cooperation with the Alabama Historical Commission to organize local, regional and area councils which will promote and encourage Alabamians to restore and live in Landmarks.

The resolution, H. J. R. 176, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hearn	Perloff
Adwell	Crawford	Hill	Porter
Bank	Cross	Jackson	Reed (T)
Barkett	Crowe	Jones (F)	Reynolds
Barron	Dill	King	Robertson
Bassett	Downing	Kinsey	St. John
Benton	Drake	Lang	Slate
Boles	Edwards	Lutz	Smith (P)
Boutwell	Erdreich	McBride	Stewart
Burgess	Falkenburg	McCluskey	Stokes
Callahan	Fite	McCorquodale	Stubbs
Carnes	Flippo	McMillan	Therrell
Carter	Goodwin	McNair	Turner
Casey	Grainger	Mathews	Waggoner
Cauthen	Gray (F)	May	Waldrop
Chesnut	Grey (D)	Meeks	Weeks
Collins	Hardin	Merrill	Williams
Connell	Harris	O'Daniel	Wise
Coshatt	Headley	Owens	

—75

And the bill:

H. 1537. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal decennial census; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	King
Adams	Chesnut	Falkenburg	Kinsey
Adwell	Collins	Fite	Lang
Agee	Connell	Flippo	Lutz
Bank	Coshatt	Gafford	McBride
Barkett	Cottingham	Goodwin	McCluskey
Barron	Crawford	Grainger	McCorquodale
Bassett	Cross	Gray (F)	McDonald
Benton	Crowe	Grey (D)	McMillan
Boles	Culver	Hardin	McNair
Boutwell	Dill	Harris	Mathews
Burgess	Doss	Headley	May
Callahan	Downing	Hearn	Meeks
Carnes	Drake	Hill	Merrill
Carter	Easters	Jackson	Mims
Casey	Edwards	Jones (F)	Naramore

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O'Daniel	Reynolds	Stewart	Wallace
Owens	Roberts	Stokes	Warren
Perloff	Robertson	Stubbs	Weeks
Porter	St. John	Therrell	Williams
Pruitt	Slate	Turner	Wise
Reed (T)	Smith (K)	Turnham	Wood
Reid (R)	Smith (P)	Waggoner	Wynot

—92

And the bill:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Was taken up.

H. 1626 POSTPONED

On motion of Mr. Coshatt, the bill, H. 1626, was postponed to the twenty-eighth legislative day.

And the bill:

H. 1239. Relating to counties having a population of not less than 34,100 nor more than 34,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Benton	Cauthen	Crowe
Adams	Boles	Chesnut	Culver
Adwell	Boutwell	Collins	Dill
Agee	Burgess	Connell	Doss
Bank	Callahan	Coshatt	Downing
Barkett	Carnes	Cottingham	Drake
Barron	Carter	Crawford	Easters
Bassett	Casey	Cross	Edwards

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Erdreich	Jones (F)	Mims	Smith (P)
Falkenburg	King	Naramore	Stewart
Fite	Kinsey	O'Daniel	Stokes
Flippo	Lang	Owens	Stubbs
Gafford	Lutz	Perloff	Therrell
Goodwin	McBride	Porter	Turner
Grainger	McCluskey	Pruitt	Turnham
Gray (F)	McCorquodale	Reed (T)	Waggoner
Grey (D)	McDonald	Reid (R)	Wallace
Hardin	McMillan	Reynolds	Warren
Harris	McNair	Roberts	Weeks
Headley	Mathews	Robertson	Williams
Hearn	May	St. John	Wise
Hill	Meeks	Slate	Wood
Jackson	Merrill	Smith (K)	Wynot

—92

And the bill:

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; providing further for the expense allowances of members of the county commission in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial

census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Harris
Adams	Casey	Drake	Headley
Adwell	Cauthen	Easters	Hearn
Agee	Chesnut	Edwards	Hill
Bank	Collins	Erdreich	Jackson
Barkett	Connell	Falkenburg	Jones (F)
Barron	Coshatt	Fite	King
Bassett	Cottingham	Flippo	Kinsey
Benton	Crawford	Gafford	Lang
Boles	Cross	Goodwin	Lutz
Boutwell	Crowe	Grainger	McBride
Burgess	Culver	Gray (F)	McCluskey
Callahan	Dill	Grey (D)	McCorquodale
Carnes	Doss	Hardin	McDonald

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McMillan	Owens	St. John	Turnham
McNair	Perloff	Slate	Waggoner
Mathews	Porter	Smith (K)	Wallace
May	Pruitt	Smith (P)	Warren
Meeks	Reed (T)	Stewart	Weeks
Merrill	Reid (R)	Stokes	Williams
Mims	Reynolds	Stubbs	Wise
Naramore	Roberts	Therrell	Wood
O'Daniel	Robertson	Turner	Wynot

—92

And the bill:

H. 1681. (With Amendment): Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend Section 1 of House Bill #1681 by striking the figure \$500 and inserting in lieu thereof the figure \$200.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill, H. 1681 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	King
Adams	Chesnut	Falkenburg	Kinsey
Adwell	Collins	Fite	Lang
Agee	Connell	Flippo	Lutz
Bank	Coshatt	Gafford	McBride
Barkett	Cottingham	Goodwin	McCluskey
Barron	Crawford	Grainger	McCorquodale
Bassett	Cross	Gray (F)	McDonald
Benton	Crowe	Grey (D)	McMillan
Boles	Culver	Hardin	McNair
Boutwell	Dill	Harris	Mathews
Burgess	Doss	Headley	May
Callahan	Downing	Hearn	Meeks
Carnes	Drake	Hill	Merrill
Carter	Easters	Jackson	Mims
Casey	Edwards	Jones (F)	Naramore

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O'Daniel	Reynolds	Stewart	Wallace
Owens	Roberts	Stokes	Warren
Perloff	Robertson	Stubbs	Weeks
Porter	St. John	Therrell	Williams
Fruitt	Slate	Turner	Wise
Reed (T)	Smith (K)	Turnham	Wood
Reid (R)	Smith (P)	Waggoner	Wynot

—92

And the bill:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Burgess

Callahan	Erdreich	McBride	Roberts
Carnes	Falkenburg	McCluskey	Robertson
Carter	Fite	McCorquodale	St. John
Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	McNair	Smith (P)
Collins	Grainger	Mathews	Stewart
Connell	Gray (F)	May	Stokes
Coshatt	Grey (D)	Meeks	Stubbs
Cottingham	Hardin	Merrill	Therrell
Crawford	Harris	Mims	Turner
Cross	Headley	Naramore	Turnham
Crowe	Hearn	O'Daniel	Waggoner
Culver	Hill	Owens	Wallace
Dill	Jackson	Perloff	Warren
Doss	Jones (F)	Porter	Weeks
Downing	King	Pruitt	Williams
Drake	Kinsey	Reed (T)	Wise
Easters	Lang	Reid (R)	Wood
Edwards	Lutz	Reynolds	Wynot

—92

And the bill:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

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And the bill:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Boles	Collins	Doss
Adams	Boutwell	Connell	Downing
Adwell	Burgess	Coshatt	Drake
Agee	Callahan	Cottingham	Easters
Bank	Carnes	Crawford	Edwards
Barkett	Carter	Cross	Erdreich
Barron	Casey	Crowe	Falkenburg
Bassett	Cauthen	Culver	Fite
Benton	Chesnut	Dill	Flippo

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Gafford	Lang	O'Daniel	Stewart
Goodwin	Lutz	Owens	Stokes
Grainger	McBride	Perloff	Stubbs
Gray (F)	McCluskey	Porter	Therrell
Grey (D)	McCorquodale	Pruitt	Turner
Hardin	McDonald	Reed (T)	Turnham
Harris	McMillan	Reid (R)	Waggoner
Headley	McNair	Reynolds	Wallace
Hearn	Mathews	Roberts	Warren
Hill	May	Robertson	Weeks
Jackson	Meeks	St. John	Williams
Jones (F)	Merrill	Slate	Wise
King	Mims	Smith (K)	Wood
Kinsey	Naramore	Smith (P)	Wynot

—92

And the bill:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1698. To amend Sections 2, 4, 6, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the

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peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Benton	Cauthen	Crowe
Adams	Boles	Chesnut	Culver
Adwell	Boutwell	Collins	Dill
Agee	Burgess	Connell	Doss
Bank	Callahan	Coshatt	Downing
Barkett	Carnes	Cottingham	Drake
Barron	Carter	Crawford	Easters
Bassett	Casey	Cross	Edwards

Erdreich	Jones (F)	Mims	Smith (P)
Falkenburg	King	Naramore	Stewart
Fite	Kinsey	O'Daniel	Stokes
Flippo	Lang	Owens	Stubbs
Gafford	Lutz	Perloff	Therrell
Goodwin	McBride	Porter	Turner
Grainger	McCluskey	Pruitt	Turnham
Gray (F)	McCorquodale	Reed (T)	Waggoner
Grey (D)	McDonald	Reid (R)	Wallace
Hardin	McMillan	Reynolds	Warren
Harris	McNair	Roberts	Weeks
Headley	Mathews	Robertson	Williams
Hearn	May	St. John	Wise
Hill	Meeks	Slate	Wood
Jackson	Merrill	Smith (K)	Wynot

—92

And the bill:

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Harris
Adams	Casey	Drake	Headley
Adwell	Cauthen	Easters	Hearn
Agee	Chesnut	Edwards	Hill
Bank	Collins	Erdreich	Jackson
Barkett	Connell	Falkenburg	Jones (F)
Barron	Coshatt	Fite	King
Bassett	Cottingham	Flippo	Kinsey
Benton	Crawford	Gafford	Lang
Boles	Cross	Goodwin	Lutz
Boutwell	Crowe	Grainger	McBride
Burgess	Culver	Gray (F)	McCluskey
Callahan	Dill	Grey (D)	McCorquodale
Carnes	Doss	Hardin	McDonald

McMillan	Owens	St. John	Turnham
McNair	Perloff	Slate	Waggoner
Mathews	Porter	Smith (K)	Wallace
May	Pruitt	Smith (P)	Warren
Meeks	Reed (T)	Stewart	Weeks
Merrill	Reid (R)	Stokes	Williams
Mims	Reynolds	Stubbs	Wise
Namamore	Roberts	Therrell	Wood
O'Daniel	Robertson	Turner	Wynot

—92

And the bill:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Namamore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Burgess

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Callahan	Erdreich	McBride	Roberts
Carnes	Falkenburg	McCluskey	Robertson
Carter	Fite	McCorquodale	St. John
Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	McNair	Smith (P)
Collins	Grainger	Mathews	Stewart
Connell	Gray (F)	May	Stokes
Coshatt	Grey (D)	Meeks	Stubbs
Cottingham	Hardin	Merrill	Therrell
Crawford	Harris	Mims	Turner
Cross	Headley	Naramore	Turnham
Crowe	Hearn	O'Daniel	Waggoner
Culver	Hill	Owens	Wallace
Dill	Jackson	Perloff	Warren
Doss	Jones (F)	Porter	Weeks
Downing	King	Pruitt	Williams
Drake	Kinsey	Reed (T)	Wise
Easters	Lang	Reid (R)	Wood
Edwards	Lutz	Reynolds	Wynot

—92

And the bill:

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1712. Relating to Bibb County; to provide that no claim presented

to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Carnes	Dill	Gray (F)
Adams	Carter	Doss	Grey (D)
Adwell	Casey	Downing	Hardin
Agee	Cauthen	Drake	Harris
Bank	Chesnut	Easters	Headley
Barkett	Collins	Edwards	Hearn
Barron	Connell	Erdreich	Hill
Bassett	Coshatt	Falkenburg	Jackson
Benton	Cottingham	Fite	Jones (F)
Boles	Crawford	Flippo	King
Boutwell	Cross	Gafford	Kinsey
Burgess	Crowe	Goodwin	Lang
Callahan	Culver	Grainger	Lutz

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McBride	Mims	Roberts	Turner
McCluskey	Naramore	Robertson	Turnham
McCorquodale	O'Daniel	St. John	Waggoner
McDonald	Owens	Slate	Wallace
McMillan	Perloff	Smith (K)	Warren
McNair	Porter	Smith (P)	Weeks
Mathews	Pruitt	Stewart	Williams
May	Reed (T)	Stokes	Wise
Meeks	Reid (R)	Stubbs	Wood
Merrill	Reynolds	Therrell	Wynot

—92

And the bill:

H. 1714. (With Amendment): To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Strike Section 10 in its entirety and place in lieu thereof the following:

Section 10. The provisions of this Act relative to the salary and assistants of the probate judge shall become effective immediately after the expiration of the term of office of the incumbent judge of probate and the remaining provisions of this Act shall become effective on the first day of the first month beginning after the ratification of an amendment to the Constitution authorizing a law regulating the compensation of certain officials of Bibb County, provided that a majority of qualified electors of Bibb County voting at the Constitutional Amendment election voted in favor of such amendment.

If a majority of the qualified electors of said county voting at said election voted against such amendment, then this Act shall have no force or effect.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Harris
Adams	Casey	Drake	Headley
Adwell	Cauthen	Easters	Hearn
Agee	Chesnut	Edwards	Hill
Bank	Collins	Erdreich	Jackson
Barkett	Connell	Falkenburg	Jones (F)
Barron	Coshatt	Fite	King
Bassett	Cottingham	Flippo	Kinsey
Benton	Crawford	Gafford	Lang
Boles	Cross	Goodwin	Lutz
Boutwell	Crowe	Grainger	McBride
Burgess	Culver	Gray (F)	McCluskey
Callahan	Dill	Grey (D)	McCorquodale
Carnes	Doss	Hardin	McDonald

McMillan	Owens	St. John	Turnham
McNair	Perloff	Slate	Waggoner
Mathews	Porter	Smith (K)	Wallace
May	Pruitt	Smith (P)	Warren
Meeks	Reed (T)	Stewart	Weeks
Merrill	Reid (R)	Stokes	Williams
Mims	Reynolds	Stubbs	Wise
Naramore	Roberts	Therrell	Wood
O'Daniel	Robertson	Turner	Wynot

—92

And the bill, H. 1714 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Casey
Adams	Barron	Burgess	Cauthen
Adwell	Bassett	Callahan	Chesnut
Agee	Benton	Carnes	Collins
Bank	Boles	Carter	Connell

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Coshatt	Grainger	McMillan	St. John
Cottingham	Gray (F)	McNair	Slate
Crawford	Grey (D)	Mathews	Smith (K)
Cross	Hardin	May	Smith (P)
Crowe	Harris	Meeks	Stewart
Culver	Headley	Merrill	Stokes
Dill	Hearn	Mims	Stubbs
Doss	Hill	Naramore	Therrell
Downing	Jackson	O'Daniel	Turner
Drake	Jones (F)	Owens	Turnham
Easters	King	Perloff	Waggoner
Edwards	Kinsey	Porter	Wallace
Erdreich	Lang	Pruitt	Warren
Falkenburg	Lutz	Reed (T)	Weeks
Fite	McBride	Reid (R)	Williams
Flippo	McCluskey	Reynolds	Wise
Gafford	McCorquodale	Roberts	Wood
Goodwin	McDonald	Robertson	Wynot

—92

And the bill:

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Hill
Adams	Cauthen	Edwards	Jackson
Adwell	Chesnut	Erdreich	Jones (F)
Agee	Collins	Falkenburg	King
Bank	Connell	Fite	Kinsey
Barkett	Coshatt	Flippo	Lang
Barron	Cottingham	Gafford	Lutz
Bassett	Crawford	Goodwin	McBride
Benton	Cross	Grainger	McCluskey
Boles	Crowe	Gray (F)	McCorquodale
Boutwell	Culver	Grey (D)	McDonald
Burgess	Dill	Hardin	McMillan
Callahan	Doss	Harris	McNair
Carnes	Downing	Headley	Mathews
Carter	Drake	Hearn	May

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Meeks	Pruitt	Smith (K)	Waggoner
Merrill	Reed (T)	Smith (P)	Wallace
Mims	Reid (R)	Stewart	Warren
Naramore	Reynolds	Stokes	Weeks
O'Daniel	Roberts	Stubbs	Williams
Owens	Robertson	Therrell	Wise
Perloff	St. John	Turner	Wood
Porter	Slate	Turnham	Wynot

—92

And the bill:

H. 1719. To authorize the establishment of branch banks in Hale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Burgess

Callahan	Erdreich	McBride	Roberts
Carnes	Falkenburg	McCluskey	Robertson
Carter	Fite	McCorquodale	St. John
Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	McNair	Smith (P)
Collins	Grainger	Mathews	Stewart
Connell	Gray (F)	May	Stokes
Coshatt	Grey (D)	Meeks	Stubbs
Cottingham	Hardin	Merrill	Therrell
Crawford	Harris	Mims	Turner
Cross	Headley	Naramore	Turnham
Crowe	Hearn	O'Daniel	Waggoner
Culver	Hill	Owens	Wallace
Dill	Jackson	Perloff	Warren
Doss	Jones (F)	Porter	Weeks
Downing	King	Pruitt	Williams
Drake	Kinsey	Reed (T)	Wise
Easters	Lang	Reid (R)	Wood
Edwards	Lutz	Reynolds	Wynot

—92

And the bill:

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Erdreich	King
Adams	Chesnut	Falkenburg	Kinsey
Adwell	Collins	Fite	Lang
Agee	Connell	Flippo	Lutz
Bank	Coshatt	Gafford	McBride
Barkett	Cottingham	Goodwin	McCluskey
Barron	Crawford	Grainger	McCorquodale
Bassett	Cross	Gray (F)	McDonald
Benton	Crowe	Grey (D)	McMillan
Boles	Culver	Hardin	McNair
Boutwell	Dill	Harris	Mathews
Burgess	Doss	Headley	May
Callahan	Downing	Hearn	Meeks
Carnes	Drake	Hill	Merrill
Carter	Easters	Jackson	Mims
Casey	Edwards	Jones (F)	Naramore

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O'Daniel	Reynolds	Stewart	Wallace
Owens	Roberts	Stokes	Warren
Perloff	Robertson	Stubbs	Weeks
Porter	St. John	Therrell	Williams
Pruitt	Slate	Turner	Wise
Reed (T)	Smith (K)	Turnham	Wood
Reid (R)	Smith (P)	Waggoner	Wynot

—92

And the bill:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Burgess

Callahan	Erdreich	McBride	Roberts
Carnes	Falkenburg	McCluskey	Robertson
Carter	Fite	McCorquodale	St. John
Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	McNair	Smith (P)
Collins	Grainger	Mathews	Stewart
Connell	Gray (F)	May	Stokes
Coshatt	Grey (D)	Meeks	Stubbs
Cottingham	Hardin	Merrill	Therrell
Crawford	Harris	Mims	Turner
Cross	Headley	Naramore	Turnham
Crowe	Hearn	O'Daniel	Waggoner
Culver	Hill	Owens	Wallace
Dill	Jackson	Perloff	Warren
Doss	Jones (F)	Porter	Weeks
Downing	King	Pruitt	Williams
Drake	Kinsey	Reed (T)	Wise
Easters	Lang	Reid (R)	Wood
Edwards	Lutz	Reynolds	Wynot

—92

And the bill:

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

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And the bill:

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1734. Relating to Houston County, providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge, requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Barron	Callahan	Collins
Adams	Bassett	Carnes	Connell
Adwell	Benton	Carter	Coshatt
Agee	Boles	Casey	Cottingham
Bank	Boutwell	Cauthen	Crawford
Barkett	Burgess	Chesnut	Cross

Crowe	Hardin	Mathews	Slate
Culver	Harris	May	Smith (K)
Dill	Headley	Meeks	Smith (P)
Doss	Hearn	Merrill	Stewart
Downing	Hill	Mims	Stokes
Drake	Jackson	Naramore	Stubbs
Easters	Jones (F)	O'Daniel	Therrell
Edwards	King	Owens	Turner
Erdreich	Kinsey	Perloff	Turnham
Falkenburg	Lang	Porter	Waggoner
Fite	Lutz	Pruitt	Wallace
Flippo	McBride	Reed (T)	Warren
Gafford	McCluskey	Reid (R)	Weeks
Goodwin	McCorquodale	Reynolds	Williams
Grainger	McDonald	Roberts	Wise
Gray (F)	McMillan	Robertson	Wood
Gray (D)	McNair	St. John	Wynot

And the bill:

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grey (D)	Meeks
Adams	Cottingham	Hardin	Merrill
Adwell	Crawford	Harris	Mims
Agee	Cross	Headley	Naramore
Bank	Crowe	Hearn	O'Daniel
Barkett	Culver	Hill	Owens
Barron	Dill	Jackson	Perloff
Bassett	Doss	Jones (F)	Porter
Benton	Downing	King	Pruitt
Boles	Drake	Kinsey	Reed (T)
Boutwell	Easters	Lang	Reid (R)
Burgess	Edwards	Lutz	Reynolds
Callahan	Erdreich	McBride	Roberts
Carnes	Falkenburg	McCluskey	Robertson
Carter	Fite	McCorquodale	St. John
Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	McNair	Smith (P)
Collins	Grainger	Mathews	Stewart
Connell	Gray (F)	May	Stokes

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Stubbs	Turnham	Warren	Wise
Therrell	Waggoner	Weeks	Wood
Turner	Wallace	Williams	Wynot

—92

And the bill:

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Callahan
Adams	Barkett	Boles	Carnes
Adwell	Barron	Boutwell	Carter
Agee	Bassett	Burgess	Casey

Cauthen	Flippo	McCorquodale	Robertson
Chesnut	Gafford	McDonald	St. John
Collins	Goodwin	McMillan	Slate
Connell	Grainger	McNair	Smith (K)
Coshatt	Gray (F)	Mathews	Smith (P)
Cottingham	Grey (D)	May	Stewart
Crawford	Hardin	Meeks	Stokes
Cross	Harris	Merrill	Stubbs
Crowe	Headley	Mims	Therrell
Culver	Hearn	Naramore	Turner
Dill	Hill	O'Daniel	Turnham
Doss	Jackson	Owens	Waggoner
Downing	Jones (F)	Perloff	Wallace
Drake	King	Porter	Warren
Easters	Kinsey	Pruitt	Weeks
Edwards	Lang	Reed (T)	Williams
Erdreich	Lutz	Reid (R)	Wise
Falkenburg	McBride	Reynolds	Wood
Fite	McCluskey	Roberts	Wynot

—92

And the bill:

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

S. 179. Relating to counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal

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decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

S. 259. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Callahan	Crowe	Gafford
Adams	Carnes	Culver	Goodwin
Adwell	Carter	Dill	Grainger
Agee	Casey	Doss	Gray (F)
Bank	Cauthen	Downing	Grey (D)
Barkett	Chesnut	Drake	Hardin
Barron	Collins	Easters	Harris
Bassett	Connell	Edwards	Headley
Benton	Coshatt	Erdreich	Hearn
Boles	Cottingham	Falkenburg	Hill
Boutwell	Crawford	Fite	Jackson
Burgess	Cross	Flippo	Jones (F)

King	May	Reid (R)	Therrell
Kinsey	Meeks	Reynolds	Turner
Lang	Merrill	Roberts	Turnham
Lutz	Mims	Robertson	Waggoner
McBride	Namore	St. John	Wallace
McCluskey	O'Daniel	Slate	Warren
McCorquodale	Owens	Smith (K)	Weeks
McDonald	Perloff	Smith (P)	Williams
McMillan	Porter	Stewart	Wise
McNair	Pruitt	Stokes	Wood
Mathews	Reed (T)	Stubbs	Wynot

—92

And the bill:

S. 288. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of all deputies employed in the sheriff's department and for the compensation of the chief deputy.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Namore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

S. 289. To amend Section 1 of Act No. 121, H. 22, Regular Session 1971 (Acts 1971, p. 204), which act fixes the fee for the issuance of pistol permits by the sheriff and for the disposition and use of such fees in certain counties classified on a population basis.

Was read a third time at length and passed.

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Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

S. 290. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of circuit court bailiffs.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grey (D)	Meeks
Adams	Cottingham	Hardin	Merrill
Adwell	Crawford	Harris	Mims
Agee	Cross	Headley	Naramore
Bank	Crowe	Hearn	O'Daniel
Barkett	Culver	Hill	Owens
Barron	Dill	Jackson	Perloff
Bassett	Doss	Jones (F)	Porter
Benton	Downing	King	Pruitt
Boles	Drake	Kinsey	Reed (T)
Boutwell	Easters	Lang	Reid (R)
Burgess	Edwards	Lutz	Reynolds
Callahan	Erdreich	McBride	Roberts
Carnes	Falkenburg	McCluskey	Robertson
Carter	Fite	McCorquodale	St. John
Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	McNair	Smith (P)
Collins	Grainger	Mathews	Stewart
Connell	Gray (F)	May	Stokes

Stubbs
Therrell
TurnerTurnham
Waggoner
WallaceWarren
Weeks
WilliamsWise
Wood
Wynot

—92

And the bill:

S. 294. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
CrawfordCross
Crowe
Culver
Dill
Doss
Downing
Drake
Easters
Edwards
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hardin
Harris
Headley
Hearn
HillJackson
Jones (F)
King
Kinsey
Lang
Lutz
McBride
McCluskey
McCorquodale
McDonald
McMillan
McNair
Mathews
May
Meeks
Merrill
Mims
Naramore
O'Daniel
Owens
Perloff
Porter
PruittReed (T)
Reid (R)
Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Stewart
Stokes
Stubbs
Therrell
Turner
Turnham
Waggoner
Wallace
Warren
Weeks
Williams
Wise
Wood
Wynot

—92

And the bill:

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Was taken up.

S. 312 POSTPONED

On motion of Mr. Benton, the bill, S. 312, was postponed to the twenty-ninth legislative day.

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And the bill:

S. 388. Relating to Choctaw County; providing for the payment to the Judge of Probate or Juvenile Court Judge of Choctaw County for expenses of attending conferences of Judges of Probate or Juvenile Court Judges.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

S. 389. Relating to Choctaw County; providing the authority for the Judge of Probate, Choctaw County, Alabama to appoint his deputies or clerks to solemnize matrimony.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Carnes	Dill	Gray (F)
Adams	Carter	Doss	Grey (D)
Adwell	Casey	Downing	Hardin
Agee	Cauthen	Drake	Harris
Bank	Chesnut	Easters	Headley
Barkett	Collins	Edwards	Hearn
Barron	Connell	Erdreich	Hill
Bassett	Coshatt	Falkenburg	Jackson
Benton	Cottingham	Fite	Jones (F)
Boles	Crawford	Flippo	King
Boutwell	Cross	Gafford	Kinsey
Burgess	Crowe	Goodwin	Lang
Callahan	Culver	Grainger	Lutz

McBride	Mims	Roberts	Turner
McCluskey	Naramore	Robertson	Turnham
McCorquodale	O'Daniel	St. John	Waggoner
McDonald	Owens	Slate	Wallace
McMillan	Perloff	Smith (K)	Warren
McNair	Porter	Smith (P)	Weeks
Mathews	Pruitt	Stewart	Williams
May	Reed (T)	Stokes	Wise
Meeks	Reid (R)	Stubbs	Wood
Merrill	Reynolds	Therrell	Wynot

—92

And the bill:

S. 476. To regulate further the compensation of the associate members and chairman of the Choctaw County Commission; to repeal conflicting laws and to repeal specifically the following laws and all amendments thereto: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796); and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440); and to provide for the effective date of this act.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

S. 477. Relating to Choctaw County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the

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provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flipppo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

S. 478. To provide that the Sheriff of Choctaw County, Alabama, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Harris
Adams	Casey	Drake	Headley
Adwell	Cauthen	Easters	Hearn
Agee	Chesnut	Edwards	Hill
Bank	Collins	Erdreich	Jackson
Barkett	Connell	Falkenburg	Jones (F)
Barron	Coshatt	Fite	King
Bassett	Cottingham	Flipppo	Kinsey
Benton	Crawford	Gafford	Lang
Boles	Cross	Goodwin	Lutz
Boutwell	Crowe	Grainger	McBride
Burgess	Culver	Gray (F)	McCluskey
Callahan	Dill	Grey (D)	McCorquodale
Carnes	Doss	Hardin	McDonald

McMillan	Owens	St. John	Turnham
McNair	Perloff	Slate	Waggoner
Mathews	Porter	Smith (K)	Wallace
May	Pruitt	Smith (P)	Warren
Meeks	Reed (T)	Stewart	Weeks
Merrill	Reid (R)	Stokes	Williams
Mims	Reynolds	Stubbs	Wise
Namamore	Roberts	Therrell	Wood
O'Daniel	Robertson	Turner	Wynot

—92

And the bill:

S. 479. Relating to Choctaw County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Namamore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1449. Relating to Mobile County; providing for landowners with no access road to acquire a right of way of forty feet.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Burgess

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Callahan	Erdreich	McBride	Roberts
Carnes	Falkenburg	McCluskey	Robertson
Carter	Fite	McCorquodale	St. John
Casey	Flipppo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	McNair	Smith (P)
Collins	Grainger	Mathews	Stewart
Connell	Gray (F)	May	Stokes
Coshatt	Grey (D)	Meeks	Stubbs
Cottingham	Hardin	Merrill	Therrell
Crawford	Harris	Mims	Turner
Cross	Headley	Naramore	Turnham
Crowe	Hearn	O'Daniel	Waggoner
Culver	Hill	Owens	Wallace
Dill	Jackson	Perloff	Warren
Doss	Jones (F)	Porter	Weeks
Downing	King	Pruitt	Williams
Drake	Kinsey	Reed (T)	Wise
Easters	Lang	Reid (R)	Wood
Edwards	Lutz	Reynolds	Wynot

—92

And the bill:

H. 281. (With Substitute) (With Amendment): In all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent federal decennial census to authorize and make provision for the incorporation of airport authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating airports, heliports, airport buildings and facilities, including offices, hangars, and facilities for airlines, and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions, or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by any such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application must be made to the governing body of one or more counties, cities or towns in Alabama, and permission for organization of such authority must be obtained from each such governing body to which application is made; to provide for the selection of the directors and officers of each such authority; to authorize any existing airport authority organized under the provisions of Act No. 265, 1963 Acts, Page 696, et seq. to amend its corporate charter to comply with the provisions of this Act, and to fix the number and terms of office of the directors of such authority and to provide for their appointment; to specify the powers of each such authority; to endow each such authority with eminent domain and zoning powers; to exempt each such authority from laws, ordinances and regulations relating to zoning or relating to the advertising and award by the state and its departments of construction or purchase contracts; to provide that any county, city, town, or other political subdivision, public corporation, agency or instrumentality of this state within this state may aid and cooperate with any such authority in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to any such authority money, property (including existing airports and airport facilities) or any right capable of

transfer; to provide that no action or suit shall be brought or maintained against any such authority or any director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by each such authority of interest bearing revenue bonds payable solely out of the revenues of the authority issuing such bonds; to specify provisions of such revenue bonds issued by any such authority and to provide that such revenue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such authority may be secured by pledge of any of the revenues of the authority issuing such bonds, whether the authority's right to such revenues then exists or may thereafter come into existence and by mortgage on any property of any such authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture between the authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which the principal office of the authority is located and in any other county in which there is located any property of the authority, the revenues from which are so pledged; to provide that any such authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of the state or of any county, city or town within the state; to specify the uses to which the proceeds of revenue bonds issued by any such authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by any such authority and the income therefrom and the property and income of any said authority; to authorize the investment of any idle funds of any county, city or town within this state in bonds issued by any such authority; to provide that bonds issued by any such authority shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by any authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such authority and the disposition of its property.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize and make provision for the incorporation, in all counties having a population of not less than 300,000 or more than 500,000, according to the 1970 or any subsequent Federal decennial census, of airport authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities (including offices, hangars and

facilities for airlines), and of constructing, acquiring, establishing, maintaining, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plant, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business at, upon or adjacent to any airport, heliport or aircraft landing area owned or operated by any such authority, and leasing or letting such building, structures or facilities; to provide that in order for any such authority to be organized application must be made to the governing body of a county to which this act applies and to any city or town in such county and permission for the organization of such authority obtained from each governing body to which application is made; to specify that any such authority shall be governed by a board of directors and to fix the number of such directors, their terms of office and the manner of their election; to specify the powers of each such authority; to endow each such authority with the power of eminent domain (which may be exercised within or without the county in which the authority is organized); to exempt each such authority from all laws, ordinances and regulations relating to zoning and all laws relating to the advertising and award by the state, its departments, counties, municipalities and other political subdivisions of the state of construction or purchase contracts; to provide that any county in which any such authority is organized and any municipality or other political subdivision, public corporation, agency or instrumentality located within such county may aid and cooperate with any such authority in the planning, undertaking, acquisition, construction, and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to any such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought against any such authority or any director thereof for or on account of the negligence of the authority or any director or of its or his agents, servants or employees; to authorize the issuance by each such authority of interest-bearing revenue bonds payable solely out of revenues of the authority issuing such bonds; to specify provisions of such revenue bonds issued by any such authority; to provide that any such revenue bonds may be secured by a pledge of any revenues of the issuing authority (whether such authority's right to such revenues then exists or may thereafter come into existence) and by mortgage on any property of any such authority, whether then in existence or thereafter acquired; to provide that any such pledge may be provided in an indenture between the authority issuing such bonds and a trustee or by resolution providing for the issuance of such bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the Judge of Probate of the county in which the principal office of the authority is located and in any other county in which there is located any property of the authority the revenues from which are so pledged; to provide that any authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing similar evidences of indebtedness; to provide that bonds issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of this state or of any county, city or town within the state; to specify the use to which proceeds of any such bonds may be put; to authorize the refunding of any such bonds; to provide for remedies in the event of default; to exempt from all taxation any such bonds and the income therefrom and the property, receipts and income of any such authority; to authorize the investment of any idle funds of any county to which this act applies, and of any

city or town within such county, in bonds issued by any such authority; to provide that bonds issued by any such authority shall be legal investments for fiduciary, savings banks and insurance companies; to authorize the publication of the notice of the adoption of any resolution authorizing the issuance of any such bonds and to specify the time after the publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and proceedings authorizing the same; to endow each such authority with the zoning powers specified in Act No. 730 (1953 Regular Session); to provide for the dissolution of any such authority and the disposition of its properties; and to provide that neither the formation or existence of a public corporation under the provisions of Act No. 265 (1963 Regular Session) shall preclude the organization of an authority under this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Application. This act shall apply only in counties having populations of not less than 300,000 nor more than 500,000, according to the 1970 or any subsequent federal decennial census, and the Legislature hereby finds and declares that there are necessary in such counties provisions for airport authorities different from those that are appropriate for smaller less urban counties and different from those that are appropriate for larger and more completely urban counties in the state.

Section 2. Definitions. When used in this act, unless the context plainly indicates otherwise, the present tense shall include the future tense, the singular shall include the plural, the plural shall include the singular, and the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance designed for use primarily as safety equipment.

"Airport" shall mean any area of land or water which is used, or intended for use, for the landing, taking-off, storage, parking or dispersal of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings, facilities or rights-of-way, together with all airport buildings, structures and facilities located thereon.

"Airport building" shall mean any building used or to be used in connection with the construction, enlargement, development, maintenance or operation of an airport or heliport or in connection with the exercise of any power of the authority.

"Airport facility" shall mean any building, structure, land, right-of-way, equipment or instrumentality used to be used in connection with the construction, enlargement, development, maintenance or operation of an airport or heliport or in connection with the exercise of any power of the authority.

"Air navigation facility" shall mean any facility used in, available for use in, or designed for use in aid of, air navigation, including any structures, mechanisms, lights, beacons, markers, communicating systems or other instrumentalities, or devices used or useful as an aid or constituting an advantage or convenience to the safe taking-off, navigation and landing of aircraft, or the safe and efficient operation or maintenance of an airport, and any combination of any or all of such facilities.

“Authority” means a public corporation organized pursuant to the provisions of this act.

“Authorizing subdivision” means the county and the municipality to which application is made to organize the authority.

“Board” means the board of directors of the authority.

“Bond” means any bond authorized to be issued pursuant to the provisions of this act.

“County” means that county in the state which, together with a municipality therein, authorized the incorporation of the authority.

“Coupon” means any interest coupon evidencing an installment of interest payable with respect to a bond.

“Director” means a member of the board of directors of the authority.

“Heliport” shall mean an airport designed primarily for use by helicopters.

“Indenture” means a mortgage, mortgage indenture, deed of trust, trust agreement or trust indenture executed by the authority as security for bonds.

“Municipality” means an incorporated city or town.

“State” means the State of Alabama.

Section 3. Procedure to Incorporate. Pursuant to the provisions of this act, airport authorities may be organized as public corporations with the powers herein set forth. To organize such a corporation, not less than three natural persons shall file with the governing body of any county in this state having a population of not less than 300,000 and not more than 500,000, according to the 1970 or any subsequent Federal decennial census, and with the governing body of one municipality within such county an application in writing for permission to incorporate a public corporation under the provisions of this act and shall attach to such application a proposed form of certificate of incorporation for such corporation. If each governing body with which the application is filed shall adopt a resolution (which need not be published or posted) approving the form of such certificate of incorporation and authorizing the formation of such a public corporation, then said applicants shall become the incorporators of and shall proceed to incorporate the authority as a public corporation in the manner hereinafter provided, using for that purpose the form of the certificate so approved.

Section 4. Contents of Certificate of Incorporation. The certificate of incorporation of the authority shall state: (a) the names of the persons forming the authority, together with the residence of each thereof, (b) the name of the authority (which name shall include the words “airport authority”), (c) the period for the duration of the authority (if the duration is to be perpetual, that fact shall be so stated), (d) the name of each of the authorizing subdivisions, together with the date on which the governing body thereof adopted a resolution authorizing the incorporation of the authority, (e) the location of the principal office of the authority, which shall be in the county, and (f) any other provisions relating to the authority (including, without limitation, provisions relating to the matters specified in Sections 6 and 22 here-

of) that the incorporators may choose to insert and that is not inconsistent with this act or with the laws of the state.

Section 5. Execution and Recordation of Certificate of Incorporation. The certificate of incorporation of the authority shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the state to take acknowledgments to deeds and shall have attached thereto a certified copy of each of the resolutions provided for in Section 3 of this act and a certificate by the secretary of state that the name proposed for the authority is not identical to that of any other corporation organized under the laws of the state or so nearly similar thereto as to lead to confusion and uncertainty. The certificate of incorporation of the authority, together with the documents required by the preceding sentence to be attached thereto, shall be filed for record in the office of the Judge of Probate of the county, who shall forthwith receive and record the same. When such a certificate of incorporation and attached documents have been so filed, the authority referred to therein shall come into existence and shall constitute a public corporation under the name set forth in such certificate of incorporation, whereupon the authority shall be vested with the rights and powers herein granted.

Section 6. Board of Directors of the Authority. The authority shall be governed by a board of directors consisting initially of two members elected by the governing body of the county and three members elected by the governing body of the other authorizing subdivision. The first term of office of one of the two directors elected by the governing body of the county shall expire on the July 1 in the second year following his election, and the first term of office of the other director elected by the governing body of the county shall expire on the July 1 in the fourth year following his election. The first term of office of the first of the three directors elected by the governing body of the authorizing subdivision shall expire on the July 1 in the fifth year following his election; that of the second director so elected, on the July 1 in the third year following his election; and that of the third director so elected, on the July 1 in the year following his election. Thereafter, the term of office of each director shall be five (5) years, and upon the expiration of the term of office of each director (including both those initially elected and those thereafter elected) his successor shall be elected not by the governing body of that authorizing subdivision by which he was elected but rather by the governing body of the other authorizing subdivision. However, if any director dies, resigns or becomes incapable or ineligible to serve as a director, a successor to serve the unexpired portion of his term shall be elected by the governing body of that authorizing subdivision by which the director whose unexpired term he is filling was elected. Directors must be residents of the county. No officer of the state or any county, city or town therein shall, while holding office be eligible to serve as a director. Directors shall be eligible for re-election.

A majority of the members of the board of directors shall constitute a quorum for the transaction of business but any meeting of such board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise all the powers and duties of the authority. The board of directors shall hold regular meetings at such times as may be provided in the bylaws of the authority; and such board may hold other meetings at any time and from time to time, provided that upon call of the chairman of the authority or by a majority of said directors, a special

meeting of the board must be held. Any matter on which the board of directors is authorized to act may be acted upon at a regular, special or called meeting. At the request of any director, the vote on any question before the board shall be taken by "yeas" and "nays" and entered upon the record. All proceedings of the board shall be reduced to writing by the secretary of the authority, recorded in a well bound book and open to each director and to the public at all times. Copies of such proceedings, when certified by the secretary of the authority under its seal, shall be received in all courts as evidence of the matters and things therein certified. Each director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. If the certificate of incorporation so provides, each director shall also be compensated by the authority in an amount not to exceed \$20.00 per month, at a rate authorized by the board and by the certificate of incorporation, but not to exceed \$10.00 for each board meeting attended by him. Any director of the authority may be impeached and removed from office in the same manner and on the same grounds provided by Section 175 of the Constitution of Alabama and the general laws of the state for impeachment and removal of the officers mentioned in said Section 175.

Section 7. Officers of Authority. The officers of the authority shall consist of a chairman, a vice-chairman, a secretary, a treasurer and such other officers as the board shall deem necessary to accomplish the purposes for which the authority was organized. The chairman, vice-chairman and secretary of the authority shall be elected by the board from its membership, but neither the treasurer nor any of the other officers of the authority need be a member of the board. The offices of secretary and treasurer may, but need not be, held by the same person. The chairman, vice-chairman and secretary of the authority shall be elected by the board for a term expiring on the July 1 next succeeding their election, and the treasurer and the other officers of the authority shall be elected by the board for such term as it deems advisable. The board shall have also the authority to employ all personnel as it deems necessary and to fix the terms and conditions of their employment. The duties of the chairman, vice-chairman, secretary and treasurer shall be such as are customarily performed by such officers and as may be prescribed by the board. The duties of any other officer of the authority shall be such as are from time to time prescribed by the board.

Section 8. Powers of Authority Generally. The authority shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof in corporate form: (1) to have succession by its corporate name for the duration of time (which may be in perpetuity) specified in its certificate of incorporation; (2) to sue and be sued in its own name in civil suits and actions, excepting actions in tort against the authority; (3) to adopt and make use of a corporate seal and to alter the same at pleasure; (4) to adopt and alter bylaws for the regulation and conduct of its affairs and business; (5) to acquire, receive, take and hold, whether by purchase, gift, lease, devise or otherwise, property of every description, whether real, personal or mixed, whether within or without the county or the corporate limits of the other authorizing subdivision, and to manage said property, and to develop any undeveloped property owned, leased or controlled by it; (6) to execute such contracts and other instruments and to take such other action as may be necessary or convenient to carry out the purposes of this act or the exercise of any power granted hereunder; (7) to plan, establish, develop, acquire, construct, enlarge, improve, maintain, equip, operate, regulate and protect airports and air navigation facilities (whether within or without the coun-

ty or the corporate limits of the other authorizing subdivision), including the acquisition, construction, installation, equipment, maintenance and operation at, or in connection with or in furtherance of the use of, such airports, or sanitary and storm sewer systems and water, electric and gas systems, buildings, hangars and other facilities for airlines and the servicing of aircraft or for the comfort, use and accommodation of air travelers and the purchase and sale of supplies, goods and commodities as are incident to the operation of its airport properties; (8) to construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain, repair and operate heliports, aerial aircraft (by whatever name such may be known), landing, loading or storage areas and transportation terminals (whether within or without the county or the corporate limits of the other authorizing subdivision); (9) to construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain and repair buildings, structures and facilities, suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business at, upon or adjacent to any airport, heliport, or aircraft landing area owned or operated by such authority, and to lease or let such buildings, structures and facilities or any one or more of them to such tenant or tenants, for such term or terms, at such compensation or rental and subject to such provisions, limitations and conditions as the authority may require or approve; (10) to furnish or supply upon any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the authority, to persons and aircraft thereon, for reward or compensation, goods, commodities, area facilities and services convenient or useful to the owners, operators and users of aircraft, and to persons upon said aircraft, heliport or aircraft landing area, including, but without limiting the generality of the foregoing, food, lodging, shelter, lawful drinks, confections, reading matter, oil, gasoline, motors and aircraft, motor and aircraft parts and equipment, space in buildings, space for buildings and structures, and the services of mechanics, instructors and hostlers; (11) to confer upon individuals, firms, corporations or companies for reward or compensation the privilege or concession of supplying upon any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the authority, all or any part of the goods, commodities, things, services and facilities in clause (10) of this section authorized to be supplied; (12) to acquire (by eminent domain and otherwise), establish, construct, expand, own, control, equip, improve, maintain, operate and regulate satellite airports or landing fields for the use of aircraft in the state, whether within or without the county corporate limits of the other authorizing subdivision; (13) to acquire by purchase, gift, devise, lease, eminent domain proceedings or otherwise, existing airports and air navigation facilities, whether within or without the county or the corporate limits of the other authorizing subdivision; provided however, that the authority shall not acquire or take over any airport or air navigation facility owned or controlled by any county, city or town or public agency of the state, or any one or more thereof, without the consent of such county, city, town or public agency; (14) to issue interest-bearing revenue bonds payable from the limited sources hereinafter referred to; (15) to pledge for payment of such bonds any revenues and funds from which such bonds are made payable and to borrow money in anticipation of the sale of any such bonds and to issue, in evidence of such borrowing, interest-bearing bond anticipation notes due within three years from the date of issue; (16) to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes for which the authority was organized; (17) to exercise the power of eminent domain in the manner and

subject to the provisions of Title 19 of the Code of Alabama of 1940, as amended, with respect to any property, real, personal or mixed (whether within or without the county or the corporate limits of the other authorizing subdivision), including air space, navigation easements, structures and obstructions to flights, and property already devoted to public use, that may be reasonably necessary for the construction, extension, maintenance, operation, protection, enlargement, improvement or preservation of an airport or airport facility or sanitary or storm sewer systems, water, electric and gas systems upon, adjacent to or in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area, or other properties owned or operated by the authority; (18) to appoint, employ, contract with and to provide for the compensation of such officers, employees and agents, including engineers, attorneys, consultants, fiscal advisers and such other employees as the business of the authority may require, including the power to fix working conditions by general rule and other conditions of employment and at its option to provide a system of disability pay, retirement compensation and pensions, or any of them, and to hire and fire servants, agents, employees and officers at will; (19) to fix, establish, collect and alter landing fees, tolls, rents and other charges for the use of any airport, heliport, landing area, building, structure, facility or other property owned or controlled by the authority; (20) to make and enforce rules and regulations governing the use of any airport, heliport, landing area or airport facility owned or controlled by the authority; (21) to provide for such insurance, including use and occupancy insurance, as the board may deem advisable; (22) to invest any funds of the authority that the board may determine are not then needed for its corporate purposes in any securities which are direct general obligations of the United States of America, or the payment of which is unconditionally guaranteed as to both principal and interest by the United States of America, or in bonds of this state or any county, city or town therein, or in interest-bearing deposits of any bank, whether its principal office is located within or without the state; (23) to cooperate with the state, any county, city, town, public corporation, agency, department or political subdivision of this state, and to make such contracts with them or any of them as the board may deem advisable to accomplish the purposes for which the authority was established; (24) to sell and convey any of its properties that may have become obsolete or worn out or that may no longer be needed or useful; (25) to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any airport, heliport or airport facility from the United States of America or any agency thereof, and from the state, any department or agency thereof and any political subdivision thereof, and to receive and accept money, property, labor or other things of value from any source whatever; (26) to purchase equipment and supplies necessary or convenient for the exercise of any power of the authority; (27) to appoint, employ, contract with and provide for compensation of such security officers and guards as the authority shall deem necessary for the protection of all facilities under the control or supervision of said authority, and all persons using such facilities; and (28) to enter into a management agreement or agreements with any county, city or town in the state for the management by the authority of any airport, heliport, air navigation facility or other facility useful to the authority, whether within or without the county or the corporate limits of the other authorizing subdivision, upon such terms and conditions as may be mutually agreeable. Nothing herein shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or held by railroads or utilities, both public or private.

Section 9. Federal and State Aid. The authority is authorized to accept, receive, receipt for, disburse and expend federal and state moneys and other moneys, public or private, made available by grant or loan or both, to accomplish, in whole or in part, any of the purposes of this act. All federal moneys accepted under this section shall be accepted and expended by the authority upon such terms and conditions as are prescribed by the United States and as are not inconsistent with the laws of this state, and all state moneys accepted under this section shall be accepted and expended by the authority upon such terms and conditions as are prescribed by law.

Section 10. Cooperation. For the purpose of aiding and cooperating with the authority in the planning, development, undertaking, construction, extension, improvement or operation of airports, heliports and air navigation facilities, the county, the other authorizing subdivision and any city, town or other political subdivision, public corporation, agency or instrumentality located in the county may, either acting singly or jointly with one or more others, upon such terms and with or without consideration, as it may determine:

- (a) lend or donate money to the authority;
- (b) provide that all or a portion of the taxes or funds available or to become available to it, or required by law to be used by it for airport purposes, shall be transferred or paid directly to the authority as such funds become available to it;
- (c) cause water, sewer or drainage facilities, or any other facilities which it is empowered to provide, to be furnished adjacent to or in connection with such airports, heliports or air navigation facilities;
- (d) donate, sell, convey, transfer or lease to the authority any land, property, franchise, grant, easement, license or lease, which it may own;
- (e) donate, sell, convey or lease any airport, airport property, heliport or heliport property, or any interest in any thereof owned by it, to the authority;
- (f) donate, transfer, assign, sell or convey to the authority any right, title or interest which it may have in any lease, contract, agreement, license or property;
- (g) furnish, dedicate, close, pave, repair, install, grade, regrade, plan or replan streets, roads, roadways and walks from established streets or roads to such airports or air navigation facilities or abutting or adjacent to such airports or air navigation facilities;
- (h) do any and all things, whether or not specifically authorized in this section and not otherwise prohibited by law, that are necessary or convenient to aid and cooperate with the authority in the planning, undertaking, construction or operation of airports, heliports and air navigation facilities; and
- (i) furnish at the request of the authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or under the jurisdiction of the authority.

Section 11. Immunity of Authority and Directors from Liability. No action or suit shall be brought or maintained against the authority or any director thereof, for or on account of the negligence of such authority or

director, or its or his agents, servants or employees, in or about the construction, maintenance, operation, superintendence or management of any airport, heliport or other facility owned or controlled by the authority.

Section 12. Issuance and Sale of Bonds by Authority; Form, Denominations, Terms, Etc. of Bonds. The authority shall have the power and is hereby authorized at any time and from time to time to issue and sell its interest-bearing revenue bonds for any of its corporate purposes. The principal of and the interest on all such bonds shall be payable solely from, and may be secured by a pledge of, the revenues derived by the authority from any or all of its airports, heliports, facilities and other property, including, without limitation, revenues derived from the operation, lease and sale (or any thereof) of any such airports, heliports, facilities and other property. None of the bonds issued or contracts entered into by the authority shall ever constitute or create an obligation or debt of the state, or of any county, city or town within the state, or a charge against the credit or taxing powers of the state, or of any county, city or town within the state. Bonds of the authority may be issued at any time and from time to time, may be in such form and denomination, may be of such tenor, may be payable in such installments and at such time or times not exceeding forty years from their date, may be payable at such place or places whether within or without the state, and may bear interest at such rate or rates (without regard to any laws relating to usury), payable and evidenced in such manner, all as shall not be inconsistent with the provisions of this act and as may be provided in the proceedings of the board wherein the bonds shall be authorized to be issued. Any bond having a stated maturity more than ten (10) years after its date shall be made subject to redemption at the option of the authority not later than the expiration of ten (10) years from its date and on any interest payment date thereafter at such price or prices and after such notice or notices and on such terms and in such manner as may be provided in the proceedings of the board wherein it is authorized to be issued. Bonds of the authority may be sold at public or private sale in such manner and from time to time as may be determined by the board. The authority may pay all reasonable expenses, premiums, fees and commissions that the board may deem necessary or advantageous in connection with the authorization, sale and issuance of its bonds. All bonds shall contain a recital that they are issued pursuant to the provisions of this act, which recital shall be conclusive that they have been duly authorized pursuant to the provisions of this act. Neither a public hearing nor the consent of the state, the county, any city or town or any agency or department of any thereof shall be prerequisite to the issuance of bonds by any authority. Notwithstanding the fact that they are payable solely from a specified source, all bonds issued under the provisions of this act shall be deemed negotiable instruments within the meaning of the negotiable instruments law of the state if they otherwise possess all the characteristics of negotiable instruments under the laws of the state.

Section 13. Execution of Bonds. All bonds shall be signed by the chairman or vice-chairman and the secretary or treasurer of the authority and the seal of the authority shall be affixed thereto; provided that a facsimile of the signature of one, but not both, of the officers whose signatures will appear on the bonds may be imprinted or otherwise reproduced thereon in lieu of his manually signing the same; and provided further, that a facsimile of the seal of the authority may be imprinted or otherwise reproduced on the bonds in lieu of being manually affixed thereto. Coupons shall be signed by the chairman or vice-chairman and the secretary or treasurer of the authority,

but a facsimile of the signature of such chairman or vice-chairman and such secretary or treasurer may be impressed or otherwise reproduced on any such interest coupons in lieu of their manually signing the same. Delivery of bonds so executed shall be valid notwithstanding any changes in officers or in the seal of the authority after the signing and sealing of the bonds.

Section 14. Security for Bonds. In the discretion of the authority any bonds may be issued under and secured by an indenture between the authority and a trustee. Said trustee may be a private person, association or corporation, including but not limited to any trust company or bank having trust powers, whether such bank or trust company is located within or without the state. In any such indenture or resolution providing for the issuance of bonds the authority may pledge, for payment of the principal of and the interest on such bonds, any of its revenues to which its right then exists or may thereafter come into existence and may assign, as security for such payment, any of its leases, franchises, permits and contracts; and in any such indenture, the authority may mortgage any of its properties, including any that may be thereafter acquired by it. Any such pledge of revenues shall be valid and binding from the time it is made, and the revenues so pledged and thereafter received by the authority shall immediately become subject to the lien of such pledge without any physical delivery thereof or further act. The lien of such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether the parties have actual notice thereof, from the time a statement is filed in the office of the Judge of Probate of the county (and any other county in which any part of the property, the revenues from which are so pledged) is located. Such notice need state only the date on which the resolution authorizing the issuance of the bonds was adopted by the board, the principal amount of bonds issued, a brief description of the revenues so pledged and a brief description of any property the revenues from which are so pledged. In any indenture or resolution authorizing the issuance of bonds and pledging for the benefit thereof revenues from any one or more of its airports, heliports, buildings or facilities, the authority shall have the power to include provisions customarily contained in instruments securing evidence of indebtedness, including, without limiting the generality of the foregoing, provisions respecting the collection, segregation and application of any rental or other revenue due or to become due to the authority, the terms to be incorporated in any lease agreement respecting any property of the authority, the maintenance and insurance of any building or structure owned by the authority, the creation and maintenance of special funds from any revenue of the authority and the rights and remedies available in the event of default to the holder of the bonds or the trustee under the indenture, all as the board shall deem advisable and as shall not be in conflict with the provisions of this act. If there be any default by the authority in payment of the principal of or the interest on the bonds or in any of the agreements on the part of the authority that may properly be included in any indenture securing the bonds, any holder of any of the bonds or any of the coupons, or the trustee under any indenture if so authorized in such indenture, may (in addition to any other remedies herein provided or otherwise available), either at law or in equity, by suit, action, mandamus or other proceedings, enforce payment of such principal or interest and compel performance of all duties of the board and officers of the authority, and shall be entitled, as a matter of right and regardless of the sufficiency of any such security, to the appointment of a receiver in equity with all the powers of such receiver for the operation and maintenance of the property of the authority

covered by such indenture and the collection, segregation and application of revenues therefrom. The indenture may also contain provisions restricting the individual rights of action of the holders of the bonds and the coupons.

Section 15. Use of Proceeds from Sale of Bonds. The proceeds derived from the sale of any bonds (other than refunding bonds) may be used only to pay the cost of acquiring, constructing, improving, enlarging and equipping the airport, facilities or property with respect to which they were issued, as may be specified in the proceedings in which the bonds are authorized to be issued. Such cost shall be deemed to include the following: the cost of any land forming a part of such airport, facilities or property; the cost of labor, material and supplies used in any such construction, improvement or enlargement, including architects' and engineers' fees and the cost of preparing contract documents and advertising for bids; the purchase price of and the cost of installing equipment for the airport, facilities or property; the cost of landscaping the lands forming a part of such airport, facilities or property and of constructing and installing roads, sidewalks, curbs, gutters, utilities and parking places in connection with the airport, facilities or property; legal, fiscal and recording fees and expenses incurred in connection with the authorization, sale and issuance of the bonds issued in connection with such airport, facilities or property; and interest on said bonds for a reasonable period prior to and during the time required for such construction and equipment and for not exceeding twenty-four (24) months after completion of such construction and equipment. If any of the proceeds derived from the sale of said bonds remains undisbursed after completion of such work and payment of all of the said costs and expenses, such balance shall be used for retirement of the principal of the bonds of the same issue.

Section 16. Refunding Bonds. The authority may at any time and from time to time issue refunding bonds for the purpose of refunding the principal of and the interest on any bonds of the authority theretofore issued hereunder and then outstanding, whether or not such principal and interest shall have matured at the time of such refunding, and for the payment of any expenses incurred in connection with such refunding and any premium necessary to be paid in order to redeem, retire or purchase for retirement the bonds to be refunded. The proceeds derived from the sale of any refunding bonds shall be used only for the purposes for which the refunding bonds were authorized to be issued. Any such refunding may be effected either by sale of the refunding bonds and the application of the proceeds thereof, or by exchange of the refunding bonds for the bonds or interest coupons to be refunded thereby; provided that the holders of any bonds or coupons so to be refunded shall not be compelled without their consent to surrender their bonds or coupons for payment or exchange prior to the date on which they may be paid or redeemed by call of the authority under their respective provisions. All provisions of this act pertaining to bonds of the authority that are not inconsistent with the provisions of this section shall, to the extent applicable, also apply to refunding bonds issued by the authority. The authority may at any time and from time to time issue bonds for the purpose of so refunding the principal of and the interest on any of its bonds and for any other purpose for which it is authorized to issue bonds, in which event the provisions hereof respecting refunding bonds shall apply only to that portion of such combined issue authorized for refunding purposes and the provisions hereof respecting other financing shall apply to the remaining portion of such combined issue.

Section 17. Exemption of Bonds from Taxation. The bonds issued by the authority and the income therefrom shall be exempt from all taxation in the state. All property, income and receipts of the authority shall be exempt from all state, county, municipal and other local taxation; provided however, that this exemption shall not be construed to exempt concessionaires, licensees, tenants, operators or lessees of the authority from the payment of any taxes, including licenses or privilege taxes levied by the state, the county or any municipality in the state.

Section 18. Investment of County and Municipal Funds in Bonds. The governing body of the county and any municipality within the county is authorized in its discretion to invest in bonds of the authority any idle or surplus money held in its treasury.

Section 19. Eligibility of Bonds as Investments for Trust Funds and Others. Bonds issued under the provisions of this act are hereby made legal investments for executors, administrators, trustees and other fiduciaries, unless otherwise directed by the court having jurisdiction of the fiduciary relation or by the document that is the source of the fiduciary's authority. Such bonds shall also be legal investments for savings banks and insurance companies organized under the laws of the state.

Section 20. Notice of Bond Resolution; Attacking Validity of Bonds. Upon the adoption by the board of any resolution providing for the issuance of bonds, the authority may in its discretion cause to be published once a week for two consecutive weeks, in a newspaper that is customarily published in the county not less than five days in each calendar week if there be any such newspaper (otherwise published at least one time in each such week), a notice in substantially the following form (the blanks being properly filled in) at the end of which there shall be printed the name and title of either the chairman or secretary of the authority:

" _____, a public corporation of the State of Alabama, on the _____ day of _____, authorized the issuance of \$ _____ principal amount of revenue bonds of the said corporation for purposes authorized in the act of the Legislature of Alabama under which the said corporation was organized. Any action or proceeding questioning the validity of the said bonds, or the pledge and any instruments securing such bonds, or the proceedings authorizing the same, must be commenced within thirty days after the first publication of this notice."

Any action or proceeding in any court to set aside or question the proceedings for the issuance of the bonds referred to in said notice or to contest the validity of any such bonds or the validity of the pledge and any instruments made to secure such bonds must be commenced within thirty days after the first publication of such notice. After the expiration of the said period no right of action or defense questioning or attacking the validity of said proceedings, the said bonds or the said pledge or instruments shall be asserted, nor shall the validity of the said proceedings, bonds, pledge or instruments be open to question in any court on any ground whatsoever except in an action commenced within such period.

Section 21. Exemption from Contracting, Purchasing and Zoning Restrictions; Zoning Powers. Authorities organized pursuant to this act shall be exempt from all laws relating to the advertising and award of construction

contracts and purchase contracts made by or behalf of the state, its departments, counties, municipalities and other political subdivisions of the state and shall be exempt from all zoning laws, ordinances and regulations, but nothing herein shall exempt such authorities from laws relating to surety bond requirements for such contracts. Any authority organized pursuant to the provisions of this act shall have the same zoning powers, with respect to the zoning of airports owned or operated by such authority and located in unincorporated areas and the zoning of unincorporated areas lying within two miles of the boundaries of such airports, as are conferred, by Act No. 730 enacted at the 1953 Regular Session of the Legislature of Alabama, upon municipalities owning or operating airports.

Section 22. Dissolution of Authority. At any time when no bonds of the authority are outstanding, the authority may be dissolved upon the filing, with the Judge of Probate of the county, of an application for dissolution, which shall be subscribed by each of the directors of the authority and sworn to by each director before an officer authorized to take acknowledgments to deeds. Upon the filing of such application for dissolution, the authority shall cease to exist. Said Judge of Probate shall receive and record the application for dissolution in an appropriate book of record in his office. Upon dissolution, all rights, title and interests of the authority in property shall be vested in the authorizing subdivisions pursuant to the provisions of the certificate of incorporation, or in the absence of such provisions shall be vested in the authorizing subdivisions, share and share alike.

Section 23. Provisions of Act Cumulative. The provisions of this act are cumulative and shall not be deemed to repeal existing laws, except to the extent such laws are clearly inconsistent with the provisions of this act. Without in any limiting the generality of the foregoing, it is hereby expressly declared that neither the formation nor the existence of a public corporation under the provisions of Act No. 265 enacted at the 1963 Regular Session of the Legislature of Alabama shall preclude the organization of a public corporation under the provisions of this act or the exercise by it of the powers granted hereby.

Section 24. Severability Clause. In the event any section, sentence, clause or portion of this act should be declared invalid or unenforceable by any court of competent jurisdiction, such holding shall not affect the validity or enforceability of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 25. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett

Barron
Bassett
Benton
Boles
Boutwell
Burgess

Callahan
Carnes
Carter
Casey
Cauthen
Chesnut

Collins
Connell
Coshatt
Cottingham
Crawford
Cross

Crowe	Hardin	Mathews	Slate
Culver	Harris	May	Smith (K)
Dill	Headley	Meeks	Smith (P)
Doss	Hearn	Merrill	Stewart
Downing	Hill	Mims	Stokes
Drake	Jackson	Naramore	Stubbs
Easters	Jones (F)	O'Daniel	Therrell
Edwards	King	Owens	Turner
Erdreich	Kinsey	Perloff	Turnham
Falkenburg	Lang	Porter	Waggoner
Fite	Lutz	Pruitt	Wallace
Flipppo	McBride	Reed (T)	Warren
Gafford	McCluskey	Reid (R)	Weeks
Goodwin	McCorquodale	Reynolds	Williams
Grainger	McDonald	Roberts	Wise
Gray (F)	McMillan	Robertson	Wood
Grey (D)	McNair	St. John	Wynot

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The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

After Section 25 insert the following new Section 26.

"Section 26. The appointing authorities as set out above must make their appointments of the members of the Board of Directors within thirty (30) days after the effective date of this Act."

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flipppo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill, H. 281:

A BILL
TO BE ENTITLED
AN ACT

To authorize and make provision for the incorporation, in all counties having a population of not less than 300,000 or more than 500,000, according to the 1970 or any subsequent Federal decennial census, of airport authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities (including offices, hangars and facilities for airlines), and of constructing, acquiring, establishing, maintaining, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plant, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business at, upon or adjacent to any airport, heliport or aircraft landing area owned or operated by any such authority, and leasing or letting such building, structures or facilities; to provide that in order for any such authority to be organized application must be made to the governing body of a county to which this act applies and to any city or town in such county and permission for the organization of such authority obtained from each governing body to which application is made; to specify that any such authority shall be governed by a board of directors and to fix the number of such directors, their terms of office and the manner of their election; to specify the powers of each such authority; to endow each such authority with the power of eminent domain (which may be exercised within or without the county in which the authority is organized); to exempt each such authority from all laws, ordinances and regulations relating to zoning and all laws relating to the advertising and award by the state, its departments, counties, municipalities and other political subdivisions of the state of construction or purchase contracts; to provide that any county in which any such authority is organized and any municipality or other political subdivision, public corporation, agency or instrumentality located within such county may aid and cooperate with any such authority in the planning, undertaking, acquisition, construction, and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to any such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought against any such authority or any director thereof for or on account of the negligence of the authority or any director or of its or his agents, servants or employees; to authorize the issuance by each such authority of interest-bearing revenue bonds payable solely out of revenues of the authority issuing such bonds; to specify provisions of such revenue bonds issued by any such authority; to provide that any such revenue bonds may be secured by a pledge of any revenues of the issuing authority (whether such authority's right to such revenues then exists or may thereafter come into existence) and by mortgage on any property of any such authority, whether then in existence or thereafter acquired; to provide that any such pledge may be provided in an indenture between the authority issuing such bonds and a trustee or by resolution providing for the issuance of such bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the Judge of Probate of the county in which the principal office of the authority is lo-

cated and in any other county in which there is located any property of the authority the revenues from which are so pledged; to provide that any authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing similar evidences of indebtedness; to provide that bonds issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of this state or of any county, city or town within the state; to specify the use to which proceeds of any such bonds may be put; to authorize the refunding of any such bonds; to provide for remedies in the event of default; to exempt from all taxation any such bonds and the income therefrom and the property, receipts and income of any such authority; to authorize the investment of any idle funds of any county to which this act applies, and of any city or town within such county, in bonds issued by any such authority; to provide that bonds issued by any such authority shall be legal investments for fiduciary, savings banks and insurance companies; to authorize the publication of the notice of the adoption of any resolution authorizing the issuance of any such bonds and to specify the time after the publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and proceedings authorizing the same; to endow each such authority with the zoning powers specified in Act No. 730 (1953 Regular Session); to provide for the dissolution of any such authority and the disposition of its properties; and to provide that neither the formation or existence of a public corporation under the provisions of Act No. 265 (1963 Regular Session) shall preclude the organization of an authority under this act.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

And the bill:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Was taken up.

H. 1522 POSTPONED

On motion of Mr. Lutz, the bill, H. 1522, was postponed to the twenty-eighth legislative day.

And the bill:

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

And the bill:

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Was taken up.

H. 1684 POSTPONED

On motion of Mr. Lutz, the bill, H. 1684, was postponed to the twenty-ninth legislative day.

And the bill:

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Dill	Kinsey	Roberts
Bank	Doss	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Bassett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Stubbs
Callahan	Flippo	Mathews	Therrell
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Turnham
Casey	Grainger	Merrill	Waggoner
Cauthen	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hardin	O'Daniel	Weeks
Connell	Harris	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot

—92

And the bill:

H. 1509. (With Substitute): Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Be It Enacted by the Legislature of Alabama:

"Section 1. Definitions. The following words or phrases, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this section.

"(a) 'Board' shall mean the 'Alcoholic Beverage Control Board.'

"(b) 'Malt' or 'Brewed Beverages,' means any beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percentum or more of alcohol by volume, by whatever name the same may be called.

"(c) 'Wine.' 'vinous beverages,' 'vinous liquors' means all beverages made from the fermentation of fresh fruits, berries or grapes, with or without added brandy, and produced in accordance with the laws and regulations of the United States, containing not more than twenty-four percent alcohol by volume, and includes all sparkling wines, carbonated wines, special natural wines, rectified wines, vermouths and like products, including restored or unrestored pure condensed juice.

"(d) 'Manufacturer' shall mean any person, association or corporation engaged in the producing, bottling, manufacturing, distilling, rectifying or compounding of liquor, alcohol and malt or brewed beverages or vinous beverages.

"(e) 'Municipality' shall mean any incorporated city or town of this state, and its policy jurisdiction.

"(f) 'Person' shall mean every natural person, association, or corporation. Whenever used in a clause prescribing or imposing a fine or imprisonment, or both, the term 'person' as applied to 'association' shall mean the partners or members thereof and as applied to 'corporation' shall mean the officers thereof, except as to incorporated clubs the term 'person' shall mean such individual or individuals who, under the by-laws of such clubs, shall have jurisdiction over the possession and sale of liquor therein.

"(g) 'Beer Wholesaler, Distributor or Jobber,' means and includes any person licensed by the board to engage in the sale and distribution within this state, at wholesale only, of malt or brewed beverages of an alcoholic content not in excess of four percent by weight and five percent by volume, to be sold only to licensed dealers as defined in this chapter.

“(h) ‘Wine Wholesaler, Distributor or Jobber,’ means and includes any person licensed by the board to engage in the sale and distribution of table wine (of alcoholic content fourteen percent or less) within counties in which this Act applies at wholesale only, to be sold for export or to licensees within this state authorized by their licenses to sell wine.

“(i) ‘Wine retailer,’ means and includes persons licensed by the board to engage in the retail sale of table wine to be consumed off the premises, and who do not possess a state liquor license.

“(j) ‘Table wine’ means any wine containing not more than fourteen percent alcohol by volume. ‘Fortified wine’ means any wine containing more than fourteen percent alcohol but not more than twenty-four percent alcohol by volume.”

“Section 2. Section 24 of Chapter 1, Title 29, Code of Alabama, 1940, is amended by adding the following: In all counties having a population of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal Decennial Census, table wines as herein defined may be sold at retail by any licensed wine retailer, as herein defined for off premise consumption only. A wine wholesaler, as herein defined may sell to a wine retailer table wines that have been purchased from a licensed manufacturer as herein defined.

“Section 3. Retail Wine License. In such counties as this Act applies the board shall have authority to issue a retail wine license for any retail outlet kept or operated by a wine retailer for the retail sale of table wines for off premise consumption in counties that this Act applies.

“Section 4. Application. In such counties as this Act applies every applicant for a retail wine license shall file a written application with the board, in such form as the board may prescribe, which shall be accompanied by a license fee of \$100.00 and a filing fee of \$10.00 together with the amount or amounts of the prescribed license fee or fees, if any levied by the counties in which this Act applies.

“Section 5. Issuance. Upon receipt of the application, the proper fees, and upon being satisfied of the truth of the statements in the application and that the applicant is a person of good repute, the board shall grant and issue to the applicant a retail wine license entitling the applicant to purchase table wine from a licensed wine wholesaler and resell the same at retail for off premise consumption in counties that this Act applies.

Section 6. Wine wholesaler's license. The Board shall issue to any reputable person who applies therefor, pays the license fee hereinafter prescribed, a wine wholesaler's license which will authorize the licensee to import and receive shipments of table wine from outside the state from licensed manufacturers, to purchase table wine from licensed manufacturers or bottlers of wine within the state, and to sell table wine to licensed wine retailers in counties in which this Act applies. The application for a wholesale wine license shall be in such form as the board may prescribe and shall be accompanied by a license fee of \$500.00 and a \$10.00 filing fee, together with the amount or amounts of the prescribed license fee or fees, if any, levied by the counties in which this Act applies. In addition the applicant shall file with his original application a bond in the penal sum of not less than \$1000.00 nor more than \$10,000.00 conditioned upon the payment of the taxes to be collected by the wine wholesaler and remitted to the board.

In counties in which this Act applies licensed beer wholesalers may become licensed wine wholesalers upon filing application with the board and paying the filing fee, the appropriate license fee or fees, and the bond herein required.

Section 7. Manufacturer's License. Every manufacturer, distiller, winery, supplier, producer or bottler desiring to do business in this state by selling table wines to wholesale table wine distributors in counties in which this Act applies shall register with the Board prior to making any sales in Alabama. Each such manufacturer, distiller, winery, supplier, producer or bottler shall pay to the Board a filing fee of \$250.00.

Each such manufacturer, distiller, winery, supplier, producer or bottler shall be required to file with the Board, prior to making any sales in Alabama list of its labels to be sold in counties in which this Act applies and shall file with the Board their Federal Certificate of label approvals or its certificates of exemption as required by the U.S. Treasury Department. All table wines whose labels have not been registered as herein provided for shall be considered contraband and may be seized by the Board, or its agents, or any peace officer of the State of Alabama without a warrant and said goods shall be delivered to the Board and disposed of as provided by law.

All such manufacturers, distillers, wineries, suppliers, producers or bottlers shall be required to mail to the Board prior to the tenth day of the month a consolidated report of all shipments of table wine made to each wine wholesaler during the preceding month. Such reports shall be certified as true and correct and shall be a complete listing of all items shipped, an invoice setting out the quantities purchased and the price quotation showing at what price such wines were sold, the size, type, brand label and point of destination and such other information as the board may prescribe.

Section 8. License Renewal. The wine retail, wine wholesale and manufacturer's license herein provided for shall be required to be renewed annually and shall be reissued upon payment to the Board of the appropriate license fee or fees unless the Board has good cause for not reissuing the license. Approval of the local governing body is not necessary for the renewal of an existing license. All license fees paid other than those levied by the counties in which this Act applies shall be retained by the Board as part of its net profit from operation and shall be distributed as such.

Section 9. Suspension or revocation of licenses. The Board shall have full and final authority as to the suspension and revocation of any license issued hereunder. In addition thereto the Board shall have the authority, in the case of a wine retailer, to invoke a penalty of not less than \$250.00 nor more than \$500.00 for one or more of the following violations of this Act:

- (a) selling wine other than during the legal hours of sale; or
- (b) selling wine to a minor.

Section 10. Unlawful Acts. In addition to the unlawful acts set forth in Section 36 of Chapter 1, Title 29, Code of Alabama 1940, it shall be unlawful for table wine to be sold except between the hours of 9:00 AM and 9:00 PM, Monday through Saturday. No table wine shall be sold on any Sunday, primary election day, general election day or municipal election day. Table wine may not be displayed by a wine retailer other than during the legal hours of sale and if a wine retailer's establishment is open for business other

than during the legal hours of sale his wine display must be kept under lock and key and hidden from public view by whatever means are necessary.

Section 11. Advertising. In the counties in which this Act applies, table wines may be advertised in the same manner and through the same media that beer is now permitted to be advertised.

Section 12. Tax on table wine. In counties in which this Act applies the tax on table wines shall be the same as levied by Sections 70(1), 70(2), 70(3) and 70(4) of Title 29, Code of Alabama, 1940, and shall be computed as follows: The wine wholesaler shall add to his invoice price to the wine retailer the 35% tax as provided by law and shall collect said tax from the wine retailer who in return shall pass the tax on to the purchaser, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer. It shall be unlawful for any wine wholesaler who is required to pay the tax in the first instance to fail or refuse to add to the sales price and collect from the wine retailer the required amount of tax.

The tax on table wine shall be collected by a monthly return which shall be filed by the wine wholesaler, on a form prescribed by the board showing sales for the preceding month and tax due thereon. The taxes due shall be remitted to the board along with the return. Such taxes paid to the board shall be considered as part of its net profits from operation and shall be distributed by the board. The wine wholesaler or distributor who pays the tax in the first instance is acting as an agent of the state for the collection and payment of the tax and as such may not be required to collect a tax for any other level of government but nothing herein shall be construed to mean that taxes or licensing fees cannot be levied by municipalities in the counties in which this Act applies.

The Board shall have the authority to examine the books and records or any wine wholesaler or retailer to determine the accuracy of any return required to be filed with the board.

Section 13. Stamps. In counties in which this Act applies the wine wholesaler must affix a distributor's stamp, as a means of identification, to all table wines sold to a wine retailer. Such stamps may be purchased at cost from the board by any licensed wine wholesaler.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. It is the intention of this Act to authorize the sale of table wines, as herein defined, by a licensed wine retailer in counties in which this Act applies and to permit the purchase and resale by licensed wine wholesalers in such counties where this Act applies, to provide for the licensing of wine retailers, wine wholesalers and manufacturer's; to provide for the collection, reporting and remitting of taxes now imposed by law. The provisions of Chapter 1, Article 29, Code of Alabama, 1940, not in conflict with this Act shall apply. However, where a conflict exists the provisions of this Act shall prevail.

Section 16. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law, however, no retail sale by a wine retailer shall be made until after September 30, 1973, or

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until sixty (60) days from the date that this Act becomes law, whichever is later.

And the substitute was adopted.

Yeas 39; Nays 0.

Yeas:

Messrs.:	Connell	Hale	Porter
Barkett	Cottingham	Hardin	Reynolds
Barron	Crawford	Hearn	St. John
Bassett	Cross	Hughes	Slate
Boutwell	Culver	Lutz	Stokes
Callahan	Dill	McDonald	Therrell
Carnes	Downing	May	Waldrop
Carter	Drake	Naramore	Wallace
Cauthen	Fite	Owens	Williams
Chesnut	Grainger	Perloff	Wood

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1509 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 4.

Yeas:

Messrs.:	Collins	Harris	Porter
Bank	Cottingham	Hearn	Robertson
Barron	Cross	Hughes	St. John
Bassett	Culver	King	Slate
Boutwell	Downing	Lutz	Stokes
Bowers	Drake	McDonald	Therrell
Callahan	Falkenburg	Mathews	Turner
Carnes	Fite	May	Waldrop
Carter	Grainger	Naramore	Wallace
Casey	Hale	Nettles	Williams
Chesnut	Hardin	Owens	Wood

—43

Nays:

Mr. Speaker	Barkett	Dill	Perloff
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—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 441. To abolish the Inferior Civil Court of Mobile County; to provide for the transfer of cases and causes therein pending to the Court of General Sessions of Mobile County; to repeal conflicting laws and specifically to

repeal Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto.

Was taken up.

Mr. Callahan offered the following amendment to the bill:

Amend H. B. 441 by changing Section 5 to read as follows:

"Section 5. This Act shall become effective immediately upon the next term of office of the judge of the General Court of General Sessions."

MOTION TO TABLE LOST

The motion of Mr. Stokes to table the amendment offered by Mr. Callahan to the bill, H. 441, was lost.

Yeas 2; Nays 6.

Yeas: Messrs. Downing and Stokes. —2

Nays:

Mr. Speaker	Nettles	Therrell	Wood	
Callahan	Perloff			—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Callahan to the bill, H. 441, and the amendment was adopted.

Yeas 7; Nays 3.

Yeas:

Mr. Speaker	Carnes	Nettles	Wood	
Callahan	Fite	Therrell		—7

Nays: Messrs. Downing, Perloff and Stokes. —3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 441, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 18; Nays 1.

Yeas:

Mr. Speaker	Chesnut	Lutz	Therrell	
Bassett	Cottingham	Nettles	Turner	
Boutwell	Downing	Roberts	Waldrop	
Callahan	Drake	Stokes	Wood	
Carnes	Ellis			—18

Nay: Mr. Perloff. —1

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1741. Amending the title and Section 1 of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) relating to the Board of Health of Mobile County, so as to provide for approval of the county governing body of fees established by the Board of Health.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 25; Nays 1.

Yeas:

Mr. Speaker	Chesnut	Goodwin	Reynolds
Barkett	Cottingham	Hardin	St. John
Bassett	Crawford	Hughes	Stokes
Benton	Downing	Lutz	Therrell
Boutwell	Drake	Nettles	Turner
Callahan	Ellis	Porter	Waldrop
Carnes			—25

Nay: Mr. Wood.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1356. To further amend Sections 2 and 8 of Act #46 Second Special Session 1955 so as to conform to the Federal Egg Products Inspection Act, and to further insure the highest quality eggs for the consumers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Gray (F)
Adwell	Carter	Drake	Grey (D)
Agee	Cauthen	Edwards	Hale
Bank	Chesnut	Ellis	Harris
Barkett	Connell	Erdreich	Hearn
Barron	Coshatt	Falkenburg	Hill
Benton	Cottingham	Fite	Hughes
Boles	Crawford	Flippo	Jackson
Boutwell	Cross	Gafford	Jones (F)
Bowers	Crowe	Goodwin	King
Callahan	Culver	Grainger	Kinsey

Lang	Mims	Roberts	Wallace
Lutz	Naramore	St. John	Warren
McBride	Nettles	Slate	Weeks
McCorquodale	Owens	Smith (P)	Williams
McMillan	Porter	Stokes	Wise
McNair	Reed (T)	Turner	Wood
Manley	Reid (R)	Waggoner	Wynot
Meeks	Reynolds	Waldrop	

—75

And the bill:

H. 711. Further regulating deductions from penitentiary and hard labor sentences for good behavior; Amending Section 1 of Act No. 534, S. B. 353, Regular Session 1943, (Acts 1943, p. 508), and repealing Act No. 481, H. B. 552, Regular Session 1953, (Acts 1953, p. 600).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker	Cross	Harris	Porter
Adwell	Crowe	Hearn	Reed (T)
Bank	Dill	Hill	Reid (R)
Bassett	Doss	Hughes	Reynolds
Benton	Downing	Jackson	Roberts
Boles	Drake	Jones (F)	St. John
Boutwell	Edwards	King	Slate
Bowers	Ellis	Kinsey	Smith (P)
Callahan	Erdreich	Lutz	Stokes
Carnes	Falkenburg	McBride	Therrell
Carter	Fite	McCluskey	Turner
Casey	Flippo	McMillan	Waggoner
Cauthen	Gafford	McNair	Waldrop
Chesnut	Goodwin	Mathews	Wallace
Collins	Grainger	May	Warren
Connell	Gray (F)	Meeks	Weeks
Coshatt	Grey (D)	Mims	Williams
Cottingham	Hale	Naramore	Wise
Crawford	Hardin	Nettles	Wynot

—76

Nay: Mr. Barron.

—1

UNANIMOUS CONSENT GRANTED

At the request of Mr. Reed (T), unanimous consent was granted to have the Journal show that he was temporarily out of the House when the bill, H. 711, was taken up for passage, and that had he been present he would have voted "Yea".

And the bill:

H. 510. To authorize the governing body of any county or the governing body of any municipality within the county to establish within the county or within the municipality ambulance service on a non-profit basis; to authorize the county to unite with any municipality within the county or two or more municipalities within the county, to unite with each other or together with the county, in the establishment of such ambulance service, making such

service common for the use of the county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by the county or any municipality; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality from tort liability while operating ambulances or providing ambulance service as authorized herein.

Was taken up.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Ellis, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 510.

Mr. Erdreich offered the following amendment to the bill, H. 510.

Amend H. B. 510 by deleting Section 5 thereof and renumbering Sections 6, 7, 8.

MOTION TO TABLE LOST

The motion offered by Mr. McCluskey to table the amendment offered by Mr. Erdreich to the bill, H. 510, was lost.

Yeas 35; Nays 36.

Yeas:

Mr. Speaker	Drake	Jones (F)	Porter
Adwell	Edwards	King	Pruitt
Agee	Ellis	Kinsey	Reid (R)
Bassett	Goodwin	Lutz	St. John
Chesnut	Grey (D)	McCluskey	Smith (K)
Collins	Hale	McCorquodale	Smith (P)
Coshatt	Hardin	Manley	Turner
Crawford	Harris	Meeks	Wise
Downing	Jackson	Owens	

—35

Nays:

Messrs.:	Erdreich	McBride	Stewart
Barron	Falkenburg	McMillan	Stokes
Boles	Flippo	McNair	Therrell
Boutwell	Gafford	Merrill	Waggoner
Carnes	Grainger	Naramore	Waldrop
Casey	Gray (F)	Nettles	Wallace
Cauthen	Hearn	Perloff	Weeks
Connell	Hill	Reynolds	Wood
Cottingham	Hughes	Slate	Wynot
Dill			

—36

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Erdreich to the bill, H. 510, and the amendment was adopted.

Yeas 44; Nays 28.

Yeas:

Messrs.:	Barron	Boutwell	Casey
Bank	Benton	Bowers	Cauthen
Barkett	Boles	Carnes	Cottingham

Crowe	Hearn	Meeks	Stewart
Dill	Hill	Merrill	Stokes
Doss	Hughes	Naramore	Therrell
Downing	King	Nettles	Waggoner
Erdreich	Lutz	Parker	Waldrop
Falkenburg	McBride	Perloff	Wallace
Flippo	McMillan	St. John	Weeks
Gafford	McNair	Slate	Wynot
Grainger			

—44

Nays:

Mr. Speaker	Coshatt	Hale	Porter
Adwell	Crawford	Jackson	Reynolds
Agee	Cross	Kinsey	Smith (K)
Carter	Edwards	Lang	Smith (P)
Chesnut	Ellis	McCluskey	Stubbs
Collins	Goodwin	McCorquodale	Turner
Connell	Grey (D)	Owens	Wise

—28

And the bill, H. 510 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adwell	Crowe	Jones (F)	Reynolds
Agee	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barron	Downing	Lang	Smith (K)
Bassett	Edwards	Lutz	Smith (P)
Benton	Ellis	McBride	Stewart
Boles	Erdreich	McCluskey	Stokes
Boutwell	Falkenburg	McCorquodale	Stubbs
Bowers	Fite	McMillan	Therrell
Brassell	Flippo	McNair	Turner
Burgess	Gafford	Manley	Waggoner
Carnes	Goodwin	Meeks	Waldrop
Carter	Grainger	Merrill	Wallace
Casey	Grey (D)	Mims	Warren
Cauthen	Hale	Naramore	Weeks
Chesnut	Hardin	Nettles	Williams
Collins	Harris	Owens	Wise
Coshatt	Hearn	Perloff	Wood
Cottingham	Hill	Porter	Wynot
Crawford	Hughes	Pruitt	

—83

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Fite to suspend the rules in order to bring up out of order the bill, H. 1345, was lost, lacking a four-fifths vote.

Yeas 57; Nays 22.

Yeas:

Messrs.:	Bassett	Carnes	Chesnut
Agee	Benton	Carter	Coshatt
Bank	Bowers	Casey	Cottingham
Barron	Brassell	Cauthen	Crawford

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Cross	Gray (F)	Manley	Slate
Crowe	Grey (D)	Merrill	Smith (K)
Culver	Hardin	Mims	Stokes
Downing	Harris	Naramore	Stubbs
Easters	Hearn	Owens	Turner
Edwards	Jones (F)	Porter	Waggoner
Ellis	King	Pruitt	Waldrop
Fite	Kinsey	Reed (T)	Warren
Flippo	Lang	Reid (R)	Williams
Goodwin	Lutz	Reynolds	Wynot
Grainger	McDonald		

—57

Nays:

Mr. Speaker	Drake	McBride	Nettles
Boles	Erdreich	McCorquodale	Perloff
Boutwell	Falkenburg	McNair	Therrell
Collins	Hale	Mathews	Wallace
Dill	Hughes	May	Wood
Doss	Jackson		

—22

And the bill:

H. 1069. To authorize a transfer between certain funds of the State Docks Department, amending Section 15 of Act No. 311, H. 253, approved August 20, 1957, an act providing for development of inland docks (Acts of Alabama 1957, Vol. I, P. 408), and providing that the amendment shall have retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Porter
Adwell	Dill	Jones (F)	Reid (R)
Agee	Doss	King	Reynolds
Bank	Downing	Kinsey	Roberts
Barkett	Drake	Lang	Robertson
Barron	Easters	Lutz	St. John
Bassett	Edwards	McBride	Smith (K)
Benton	Erdreich	McCorquodale	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	McMillan	Stubbs
Bowers	Flippo	Manley	Therrell
Brassell	Gafford	May	Turner
Callahan	Goodwin	Meeks	Waggoner
Carnes	Grainger	Merrill	Waldrop
Carter	Gray (F)	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Collins	Hale	Nettles	Weeks
Connell	Hardin	O'Daniel	Williams
Coshatt	Harris	Owens	Wise
Cottingham	Headley	Parker	Wood
Crawford	Hearn	Perloff	Wynot
Cross			

—85

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Pruitt moved to reconsider the vote by which the bill, S. 259, was passed, and the motion was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adwell	Doss	Jones (F)	Reynolds
Agee	Downing	King	Roberts
Barkett	Easters	Kinsey	St. John
Barron	Edwards	Lang	Slate
Bassett	Erdreich	Lutz	Smith (K)
Benton	Falkenburg	McBride	Stewart
Boutwell	Fite	McCorquodale	Stokes
Bowers	Flippo	McDonald	Stubbs
Brassell	Gafford	McMillan	Therrell
Callahan	Goodwin	Manley	Turner
Carnes	Grainger	May	Waggoner
Carter	Gray (F)	Meeks	Waldrop
Cauthen	Grey (D)	Merrill	Wallace
Chesnut	Hale	Naramore	Warren
Collins	Hardin	Nettles	Williams
Connell	Harris	O'Daniel	Wise
Coshatt	Headley	Owens	Wood
Cottingham	Hearn	Porter	Wynot
Crawford	Hughes	Pruitt	

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And the bill:

S. 259. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Was again taken up.

S. 259 POSTPONED

On motion of Mr. Pruitt, the bill, S. 259, was postponed to the twenty-eighth legislative day.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 177. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That the following business in the order named be made special, paramount and continuing order of business on the 28th Legislative Day, taking precedence over any other business of the House:

UNFINISHED BUSINESS—PREVIOUS SPECIAL ORDER CALENDAR

UNCONTESTED LOCAL BILLS

H. B. 1541	Page 107	Poultry Industry
H. B. 1137	Page 130	Cater Act

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H. B. 1151	Page 63	Licensing of Insurance Premium Finance Companies.
H. B. 610	Page 26	State Government Audit Agencies
H. B. 640	Page 28	Deputy District Attorneys
H. B. 1149	Page 58	Medical Clinic Board
H. B. 1150	Page 58	Alabama Non-profit corporation Act.
H. B. 1333	Page 98	State Board of Registration of Profession Engineer
H. B. 1014	Page 132	Good Neighbor Commission
H. B. 809	Page 61	Real Estate Commission
H. B. 1084	Page 59	Real Estate Commission
H. B. 1085	Page 59	Real Estate Commission
H. B. 731	Page 10	Junk Dealers
H. B. 748	Page 42	Licensing of Mobile Home Repairmen
H. B. 401	Page 155	Department of Pensions & Security
H. B. 989	Page 141	Fiscal Officer
H. B. 938	Page 8	Alabama Development Office Employees
H. B. 823	Page 8	Cahaba River
H. B. 1630	Page 172	Exempt Ad Valorem tax on industries
H. B. 1631	Page 172	Exempt Ad Valorem tax on industries
H. B. 1723	Page 171	Exempt Ad Valorem tax on tobacco products
H. B. 18	Page 62	Amend "Mini-Code" re; maximum finance charges
H. B. 1136	Page 130	State Industrial Development Authority to issue bonds
H. B. 1138	Page 132	Reallocate revenues from tax to State Industrial Development Authority
H. B. 517	Page 55	Increase fees paid to filing officer
H. B. 1061	Page 94	Salary Increase for State Employees
H. B. 1315	Page 133	Increase in Awarding Authority of State Board of Adjustment
H. B. 1283	Page 70	Re: Alabama Pollution Control Finance Authority Issuing Bonds.
H. B. 418	Page 24	Alabama Turnpike Authority
H. B. 692	Page 29	Alabama Turnpike Authority
H. B. 693	Page 30	Alabama Turnpike Authority
H. B. 126	Page 63	Alabama Firefighter Pension Fund
H. B. 1316	Page 122	Investment by State Insurance Fund
H. B. 342	Page 92	Mansion Restoration
H. B. 341	Page 92	Governor's Mansion Advisory Board to purchase property
H. B. 734	Page 16	Increase prisoner meal allowance
H. B. 324	Page 15	Walker College
H. B. 326	Page 14	Marion Institute

H. B. 325 Page 15 Lyman Ward
 H. B. 112 Page 16 Tuskegee Institute

Mr. King offered the following amendment to the resolution:

Amend the Special Order Calendar Resolution to make H. B. 387 the first bill on the Calendar for the 28th Legislative day.

MOTION TO TABLE LOST

The motion offered by Mr. Drake to table the amendment offered by Mr. King to the resolution, H. R. 177, was lost.

Yeas 27; Nays 37.

Yeas:

Mr. Speaker	Cottingham	Kinsey	Reynolds
Adams	Crawford	Lang	Slate
Agee	Drake	McCorquodale	Turner
Burgess	Fite	Merrill	Turnham
Carnes	Headley	Mims	Warren
Cauthen	Hughes	Owens	Wise
Collins	Jackson	Parker	

—27

Nays:

Messrs.:	Downing	Hill	Nettles
Barkett	Easters	Lutz	Perloff
Barron	Ellis	McBride	St. John
Bassett	Flippo	McDonald	Smith (K)
Boutwell	Goodwin	McMillan	Stokes
Carter	Grainger	Manley	Therrell
Coshatt	Gray (F)	Mathews	Waggoner
Cross	Hale	Meeks	Waldrop
Crowe	Hardin	Naramore	Wood
Dill	Hearn		

—37

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. King to the resolution, H. R. 177, and the amendment was adopted.

Yeas 53; Nays 17.

Yeas:

Messrs.:	Cross	King	Roberts
Agee	Dill	Lutz	St. John
Bank	Downing	McBride	Smith (K)
Barkett	Easters	McDonald	Stewart
Barron	Ellis	McMillan	Stokes
Bassett	Flippo	Manley	Stubbs
Boutwell	Goodwin	Mathews	Therrell
Bowers	Grainger	Meeks	Turner
Burgess	Gray (F)	Merrill	Waggoner
Carter	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Headley	Perloff	Wood
Coshatt	Hearn	Porter	Wynot
Cottingham	Hill		

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Nays:

Mr. Speaker	Drake	Kinsey	Slate
Adams	Fite	McCorquodale	Smith (P)
Carnes	Hughes	Owens	Turnham
Collins	Jackson	Robertson	Warren
Crawford			

—17

Mr. Erdreich offered the following amendment to the resolution, H. R. 177, as amended:

Amend H. R. 177 by reversing lines 6 and 7 thereof.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cross	Hearn	Parker
Adams	Crowe	Hill	Perloff
Adwell	Culver	Hughes	Porter
Agee	Dill	Jackson	Pruitt
Bank	Doss	King	Reed (T)
Barkett	Downing	Kinsey	Reynolds
Barron	Drake	Lutz	Robertson
Bassett	Easters	McBride	St. John
Boles	Ellis	McCluskey	Smith (K)
Boutwell	Falkenburg	McCorquodale	Snell
Bowers	Fite	McDonald	Stewart
Brassell	Flippo	McMillan	Stokes
Carnes	Gafford	McNair	Stubbs
Carter	Goodwin	Manley	Therrell
Casey	Grainger	Mathews	Turner
Cauthen	Gray (F)	Meeks	Turnham
Chesnut	Gray (D)	Merrill	Waggoner
Collins	Hale	Mims	Waldrop
Connell	Hardin	Naramore	Wallace
Coshatt	Harris	Nettles	Warren
Cottingham	Headley	Owens	Wynot
Crawford			

—85

Mr. Pruitt offered the following amendment to the resolution, H. R. 177 as amended:

H. R. 177. The Special Order Calendar for the 28th Legislative Day, is hereby amended so as to place Bill No. 1318 as the last bill on said Special Order Calendar.

MOTION TO TABLE LOST

The motion of Mr. Drake to table the amendment offered by Mr. Pruitt to the resolution, H. R. 177, was lost.

Yeas 27; Nays 46.

Yeas:

Mr. Speaker	Bowers	Collins	Dill
Boles	Callahan	Connell	Doss
Boutwell	Carnes	Crowe	Downing

Drake	Lang	Meeks	Stewart
Erdreich	McBride	Mims	Waldrop
Falkenburg	Mathews	Naramore	Wallace
Hughes	May	Robertson	

—27

Nays:

Messrs.:	Cross	Hill	Pruitt
Adams	Easters	King	Roberts
Barkett	Edwards	Kinsey	St. John
Barron	Fite	Lutz	Slate
Bassett	Flippo	McCorquodale	Smith (K)
Brassell	Goodwin	McDonald	Snell
Carter	Grainger	McNair	Stokes
Casey	Gray (F)	Manley	Stubbs
Cauthen	Hardin	Merrill	Turner
Chesnut	Harris	Nettles	Waggoner
Cottingham	Headley	Owens	Warren
Crawford	Hearn	Porter	

—46

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Pruitt to the resolution, H. R. 177, and the amendment was adopted.

Yeas 51; Nays 22.

Yeas:

Messrs.:	Cross	Hill	Pruitt
Adams	Downing	Jones (F)	Roberts
Bank	Easters	King	Robertson
Barkett	Edwards	Kinsey	St. John
Barron	Fite	Lang	Slate
Bassett	Flippo	Lutz	Smith (K)
Brassell	Goodwin	McCorquodale	Snell
Carter	Grainger	McDonald	Stubbs
Casey	Gray (F)	Manley	Turner
Cauthen	Hardin	Merrill	Waggoner
Chesnut	Harris	Nettles	Warren
Cottingham	Headley	Owens	Williams
Crawford	Hearn	Porter	Wood

—51

Nays:

Mr. Speaker	Connell	Falkenburg	Meeks
Boutwell	Crowe	McBride	Naramore
Bowers	Dill	McNair	Stewart
Callahan	Doss	Mathews	Waldrop
Carnes	Drake	May	Wynot
Collins	Erdreich		

—22

And the resolution, H. R. 177, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That the following business in the order named be made special, paramount and continuing order of business on the 28th Legislative Day, taking precedence over any other business of the House.

UNCONTESTED LOCAL BILLS

UNFINISHED BUSINESS—PREVIOUS SPECIAL ORDER CALENDAR

REGULAR SESSION
27th Day

2671

thority	H. B. 387	Page 1	Alabama Housing Development Au-
	H. B. 1541	Page 97	Poultry Industry
	H. B. 1137	Page 118	Cater Act
finance Companies	H. B. 1151	Page 60	Licensing of Insurance Premium Fi-
	H. B. 610	Page 26	State Government Audit Agencies
	H. B. 640	Page 28	Deputy District Attorneys
	H. B. 1149	Page 55	Medical Clinic Board
	H. B. 1150	Page 55	Alabama Non-profit corporation Act.
sion Engineer	H. B. 1333	Page 89	State Board of Registration of Profes-
	H. B. 1014	Page 120	Good Neighbor Commission
	H. B. 809	Page 58	Real Estate Commission
	H. B. 1084	Page 56	Real Estate Commission
	H. B. 1085	Page 56	Real Estate Commission
	H. B. 731	Page 10	Junk Dealers
	H. B. 748	Page 41	Licensing of Mobile Home Repairmen
	H. B. 401	Page 142	Department of Pensions & Security
	H. B. 989	Page 128	Fiscal Officer
ployees	H. B. 938	Page 8	Alabama Development Office Em-
	H. B. 823	Page 8	Cahaba River
	H. B. 1630	Page 158	Exempt Ad Valorem tax on industries
	H. B. 1631	Page 158	Exempt Ad Valorem tax on industries
products	H. B. 1723	Page 157	Exempt Ad Valorem tax on tobacco
finance charges	H. B. 18	Page 59	Amend "Mini-Code" re; maximum fi-
to issue bonds	H. B. 1136	Page 118	State Industrial Development Authority
Industrial Development Authority	H. B. 1138	Page 120	Reallocate revenues from tax to State
	H. B. 517	Page 52	Increase fees paid to filing officer
	H. B. 1061	Page 85	Salary Increase for State Employees
Board of Adjustment	H. B. 1315	Page 121	Increase in Awarding Authority of State
Authority Issuing Bonds.	H. B. 1283	Page 65	Re: Alabama Polution Control Finance
	H. B. 418	Page 24	Alabama Turnpike Authority
	H. B. 692	Page 29	Alabama Turnpike Authority
	H. B. 693	Page 29	Alabama Turnpike Authority
	H. B. 126	Page 60	Alabama Firefighter Pension Fund
	H. B. 1316	Page 110	Investment by State Insurance Fund
	H. B. 342	Page 83	Mansion Restoration
to purchase Property	H. B. 341	Page 83	Governor's Mansion Advisory Board

H. B. 734	Page 16	Increase prisoner meal allowance
H. B. 324	Page 15	Walker College
H. B. 326	Page 14	Marion Institute
H. B. 325	Page 15	Lyman Ward
H. B. 112	Page 16	Tuskegee Institute
H. B. 1318	Page 72	Alabama Public School and College Authority

As thus amended, was adopted.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Collins	Hearn	Pruitt
Adams	Connell	Hill	Roberts
Adwell	Cottingham	Hughes	Robertson
Bank	Crawford	Kinsey	St. John
Barron	Cross	Lang	Slate
Bassett	Crowe	Lutz	Smith (K)
Benton	Doss	McCorquodale	Snell
Boles	Downing	McDonald	Stewart
Boutwell	Drake	McMillan	Stokes
Bowers	Edwards	McNair	Stubbs
Brassell	Falkenburg	Manley	Turner
Burgess	Fite	Meeks	Waggoner
Callahan	Flippo	Merrill	Waldrop
Carnes	Goodwin	Mims	Wallace
Carter	Grainger	Naramore	Warren
Casey	Hale	Nettles	Williams
Cauthen	Harris	Owens	Wood
Chesnut	Headley	Porter	

—71

Nays: Messrs. Easters, King and McBride.

—3

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Fite moved to reconsider the vote by which the resolution, H. R. 177 as amended, was adopted, and the motion was adopted.

Yeas 53; Nays 13.

Yeas:

Messrs.:	Crowe	Hughes	Roberts
Barkett	Culver	King	St. John
Bassett	Downing	Kinsey	Slate
Benton	Easters	Lutz	Smith (K)
Boles	Edwards	McBride	Snell
Brassell	Ellis	McDonald	Stokes
Burgess	Flippo	McNair	Stubbs
Carnes	Goodwin	Manley	Turner
Casey	Grainger	May	Waggoner
Cauthen	Gray (F)	Merrill	Waldrop
Chesnut	Hardin	Naramore	Warren
Cottingham	Headley	Porter	Wood
Crawford	Hearn	Pruitt	Wynot
Cross	Hill		

—53

REGULAR SESSION
27th Day

2673

Nays:

Mr. Speaker Barron Bowers Callahan	Collins Connell Doss	Drake Falkenburg Hale	Mathews Nettles Stewart	—13
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Mr. Fite offered the following amendment to the resolution, H. R. 177 as amended:

Amend the Special Order Calendar for the 28th legislative day by adding at the end thereof H. B. 1345.

MOTION TO TABLE LOST

The motion offered by Mr. Drake to table the amendment offered by Mr. Fite to the resolution, H. B. 177 as amended, was lost.

Yeas 13; Nays 58.

Yeas:

Mr. Speaker Boutwell Callahan Chesnut	Collins Connell Doss	Downing Drake Falkenburg	Jackson Nettles Porter	—13
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Nays:

Messrs.: Adams Barkett Bassett Benton Brassell Burgess Carnes Carter Casey Cauthen Coshatt Cottingham Crawford Cross	Crowe Easters Edwards Ellis Flippo Goodwin Grainger Gray (F) Gray (D) Hale Hardin Hearn Hill Hughes King	Kinsey Lang Lutz McBride McDonald Manley Merrill Mims Naramore Owens Pruitt Reynolds Roberts St. John Slate	Smith (K) Smith (P) Snell Stewart Stokes Stubbs Turner Waggoner Waldrop Wallace Warren Williams Wood Wynot	—58
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AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Fite to the resolution, H. R. 177 as amended, and the amendment was adopted.

Yeas 71; Nays 9.

Yeas:

Messrs.: Adams Adwell Barkett Barron Bassett Benton Boles	Brassell Burgess Carnes Carter Casey Cauthen Chesnut Collins	Coshatt Cottingham Crawford Cross Crowe Downing Easters Edwards	Ellis Fite Flippo Goodwin Grainger Gray (F) Gray (D) Hale
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Hardin	Lutz	Porter	Stewart
Harris	McBride	Pruitt	Stubbs
Headley	McCorquodale	Reid (R)	Turner
Hearn	McDonald	Reynolds	Waggoner
Hill	Manley	Roberts	Waldrop
Hughes	Mathews	St. John	Wallace
Jones (F)	Merrill	Slate	Warren
King	Mims	Smith (K)	Williams
Kinsey	Naramore	Smith (P)	Wood
Lang	Owens	Snell	Wynot

—71

Nays:

Mr. Speaker	Connell	Drake	Jackson
Boutwell	Doss	Falkenburg	Nettles
Callahan			

—9

Mr. Turner offered the following amendment to the resolution, H. R. 177 as amended:

Amend the Special Order Calendar for the 28th legislative day by adding at the end thereof H. B. 1612.

MOTION TO TABLE LOST

The motion of Mr. Drake to table the amendment offered by Mr. Turner to the resolution, H. R. 177 as amended, was lost.

Yeas 17; Nays 51.

Yeas:

Mr. Speaker	Drake	Jackson	Nettles
Bank	Falkenburg	Lang	Reid (R)
Bowers	Flipppo	McCorquodale	Roberts
Callahan	Harris	Mathews	Smith (P)
Culver			

—17

Nays:

Messrs.:	Coshatt	Hardin	Pruitt
Barkett	Cottingham	Headley	St. John
Barron	Crawford	Hill	Slate
Bassett	Cross	Hughes	Smith (K)
Benton	Crowe	King	Snell
Boles	Downing	Kinsey	Stewart
Boutwell	Easters	Lutz	Stubbs
Brassell	Edwards	McDonald	Turner
Carnes	Fite	Manley	Waldrop
Carter	Goodwin	Merrill	Wallace
Cauthen	Grainger	Mims	Warren
Chesnut	Gray (F)	Naramore	Williams
Connell	Hale	Porter	Wynot

—51

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Turner to the resolution, H. R. 177 as amended, and the amendment was adopted.

REGULAR SESSION
27th Day

2675

Yeas 55; Nays 10.

Yeas:

Messrs.:	Chesnut	Hale	Porter
Adams	Connell	Hardin	Pruitt
Barkett	Coshatt	Headley	St. John
Barron	Cottingham	Hill	Slate
Bassett	Crawford	Hughes	Smith (K)
Benton	Cross	King	Smith (P)
Boles	Crowe	Kinsey	Snell
Boutwell	Downing	Lang	Stubbs
Brassell	Easters	Lutz	Turner
Burgess	Edwards	McDonald	Waldrop
Carnes	Fite	Manley	Wallace
Carter	Goodwin	Merrill	Warren
Casey	Grainger	Mims	Williams
Cauthen	Gray (F)	Naramore	Wynot

—55

Nays:

Mr. Speaker	Drake	Mathews	Roberts
Bowers	Harris	Nettles	Robertson
Culver	McCorquodale		

—10

And the resolution, H. R. 177, BE IN RESOLVED BY THE HOUSE OF REPRESENTATIVES That the following business in the order named be made special, prarmount and continuing order of business on the 28th Legislative Day, taking precedence overy any other business of the House:

UNCONTESTED LOCAL BILLS

UNFINISHED BUSINESS—PREVIOUS SPECIAL ORDER CALENDAR

ity	H. B. 387	Page 1	Alabama Housing Development Author-
	H. B. 1541	Page 97	Poultry Industry
	H. B. 1137	Page 118	Cater Act
	H. B. 1151	Page 60	Licensing of Insurance Premium Finance
Companies			
	H. B. 610	Page 26	State Government Audit Agencies
	H. B. 640	Page 28	Deputy District Attorneys
	H. B. 1149	Page 55	Medical Clinic Board
	H. B. 1150	Page 55	Alabama Non-profit corporation Act.
	H. B. 1333	Page 89	State Board of Registration of Profession
Engineer			
	H. B. 1014	Page 120	Good Neighbor Commission
	H. B. 809	Page 58	Real Estate Commission
	H. B. 1084	Page 56	Real Estate Commission
	H. B. 1085	Page 56	Real Estate Commission
	H. B. 731	Page 10	Junk Dealers
	H. B. 748	Page 41	Licensing of Mobile Home Repairmen
	H. B. 401	Page 142	Department of Pensions & Security

H. B. 989	Page 128	Fiscal Officer
H. B. 938	Page 8	Alabama Development Office Employees
H. B. 823	Page 8	Cahaba River
H. B. 1630.	Page 158	Exempt Ad Valorem tax on industries
H. B. 1631	Page 158	Exempt Ad Valorem tax on industries
H. B. 1723	Page 157	Exempt Ad Valorem tax on tobacco products
H. B. 18	Page 59	Amend "Mini-Code" re; maximum finance charges
H. B. 1136	Page 118	State Industrial Development Authority to issue bonds
H. B. 1138	Page 120	Reallocate revenues from tax to State Industrial Development Authority
H. B. 517	Page 52	Increase fees paid to filing officer
H. B. 1061	Page 85	Salary Increase for State Employees
H. B. 1315	Page 121	Increase in Awarding Authority of State Board of Adjustment
H. B. 1283	Page 65	Re: Alabama Pollution Control Finance Authority Issuing Bonds.
H. B. 418	Page 24	Alabama Turnpike Authority
H. B. 692	Page 29	Alabama Turnpike Authority
H. B. 693	Page 29	Alabama Turnpike Authority
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H. B. 342	Page 83	Mansion Restoration
H. B. 341	Page 83	Governor's Mansion Advisory Board to purchase Property
H. B. 734	Page 16	Increase prisoner meal allowance
H. B. 324	Page 15	Walker College
H. B. 326	Page 14	Marion Institute
H. B. 325	Page 15	Lyman Ward
H. B. 112	Page 16	Tuskegee Institute
H. B. 1318	Page 72	Alabama Public School and College Authority
H. B. 1345	Page 122	Alabama Public School and College Authority
H. B. 1612	Page 129	Alabama Public School and College Authority

As thus amended, was adopted.

Also:

By Mr. Robertson:

H. R. 178. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 1304

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the

Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinion on the following important constitutional question which has arisen concerning the pending bill, H. B. 1304:

If enacted, does this bill, which concerns the imposition of the death penalty for certain crimes, fall within the guidelines recently set by the U.S. Supreme Court in the case of *Furman v. Georgia* (408 U.S. 238, 92 S.Ct. 2726)?

BE IT FURTHER RESOLVED, That the clerk of the House is directed to attach true copies of H. B. 1304 to this resolution and transmit forthwith to the Clerk of the Supreme Court seven copies of this resolution and said bill.

The resolution, H. R. 178, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 895. (With Substitute) (With Amendment): Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the attorney general to enforce and administer this Act and defining his powers and duties relative thereto; creating and providing for the appointment, term, duties and compensation of an advisory board on licensing of employment agencies to assist the attorney general in administering this Act; prescribing penalties; and repealing conflicting laws.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Commerce and Transportation, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

Concerning the licensing, regulation, and inspection of employment services as herein defined; providing for the enforcement of these regulations by the Department of Industrial Relations providing penalties for the violation thereof, and repealing all existing laws in conflict herewith.

Be It Enacted by the Legislature of the State of Alabama:

Section 1. PURPOSE.

The purpose of this act is to provide regulations for the licensing, regulation, and inspection of employment services for the protection of and better service to the individual job seeker in his search for employment or a better position, when as a part of that search he utilizes the services proffered by an employment service.

Section 2. DEFINITIONS.

(a) "Employment Service" is a service leading an individual to employment, payment for such service being entirely contingent upon the employer

offering and the applicant accepting employment and the obligation for payment therefore being made in whole or in part by the applicant.

(b) "Employer" means any individual, firm, corporation, partnership or association employing or seeking to employ an individual(s).

(c) "Job Applicant" means any individual seeking or entering into any arrangement for employment or change of employment.

(d) "Person" shall include an individual, partnership, or corporation and his or its employees.

(e) "Service Charge" means a compensation to be paid by a job applicant for the employment service received, the payment of such compensation being contingent upon the employer offering and the applicant accepting employment.

(f) "Job Order" means an oral or written request from or permission by an employer to interview an applicant.

Section 3. LICENSE.

(a) License required. No person shall engage in the business of an employment service unless he first obtains a license from the Department of Industrial Relations. Any person who shall engage in the business of or act as an employment service without first procuring such a license shall be punished by a fine of not less than \$500 nor more than \$1,000, or by imprisonment for a period not to exceed 90 days, or both.

(b) License Fee. Every person desiring to obtain a new or renewal employment service license must submit to the Department of Industrial Relations with his application for license the annual sum of \$150.00 for the first license and \$25.00 for each additional license issued to the same owner for each other agency, covering the period of from October 1st through September 30th, or a prorata amount for any remaining portion of that fiscal year. If the license is not granted, the amount paid will be returned to the applicant. The fees will be paid by the Department of Industrial Relations into the general fund of the State Treasury.

(c) Licensee Qualifications. Every applicant for a new or transferral license shall have had either (1) a minimum of one year's experience with an employment service as a placement counselor, manager, or active owner or (2) a minimum of two years experience in a position with responsibility which involved dealing with the qualifications, selection, training, or performance of employees and completed training in placement counseling and employment service management.

Every applicant for new or transferral license shall be a resident of the State of Alabama at the time the application is submitted.

These requirements shall be waived for the licensee if the licensee employs a person who does satisfy these requirements to supervise the day-to-day operations of the employment service including all office locations.

The provisions of this subsection shall not apply to the initial license of any individual, partnership, or corporation legally operating in the State of Alabama as a private employment service immediately prior to the effective

date of this Act. However, no license may be renewed unless the licensee is in full compliance with the provisions of this subsection at the time of renewal.

(d) **Application For License.** The application for a license hereunder shall be on a form supplied by the Department of Industrial Relations and shall include the following information:

(1) The name and address of the individual, partnership or corporation that will be operating the employment service.

(2) The name under which the business will be operated and the address(es) where business will be conducted. The name shall not be similar to that of any existing state or federally operated employment service.

(3) The name and address of the owner, partners, or principal officers of the corporation, and the name and address of the person who will be responsible for the general management of the business.

(4) The employment history and residences of the owner, partners, or principal officers and/or shareholders of the corporation (who hold over 25% ownership) for the last five years.

(5) Two references to substantiate the moral character and business integrity of each person referred to sub section (3) hereof. These may be either previous employers, business or financial references, clergymen or any combination thereof.

(6) The name, address, and employment history of the person(s) who will supervise the day-to-day operations of the agency if the applicant for the license himself does not meet the qualifications set forth in Section 3 (c).

(7) Proof of evidence by the applicant that he is of legal voting age if requested.

Each individual listed in sub sections (3) and (6) hereof must submit a signed statement certifying that he has read and fully understands this act.

(e) **Additional Documents.** The following documents are required and must accompany the application for license:

(1) A copy of the application to be completed by the job applicant when applying to the employment service.

(2) A true copy of the contract or agreement that an applicant is required to sign upon making application to an employment service.

(3) A true copy of the schedule of service charges to be paid by applicants for the services rendered by the employment service.

These applications, contracts and service charge schedules may be changed by filing them with the Department of Industrial Relations 15 days prior to instituting the changes.

(f) **Exclusions.** (1) Organizations such as trade unions, labor organizations, educational institutions (high schools, colleges, business schools), Federal and State Employment Services, governmental agencies, fraternal, religious, charitable and beneficial and benevolent organizations which make no direct charge for this service are excluded from this Act.

(2) Other organizations excluded from this act are theatrical agencies, nurses registrees, babysitting agencies, model agencies, professional athletes and actors agents.

(g) Bonding. The license application shall be accompanied by a bond in the amount of \$1000 in favor of this state.

(h) Posting. The following documents must be posted in a prominent place in the reception room of the employment service described in the license:

(1) The license containing the street address or building, the city or town, and the county in which the employment service is located, and the name under which the business will be operated.

(2) A copy of current service charges as filed with the Department of Industrial Relations.

(3) Any posting required under any local, state, or federal law regarding hours, wages, discriminatory practices, etc.

(i) Licenses Multiple and Transferrable. (1) Any license granted hereunder may be transferred if the new licensee meets and fulfills the requirements of this Section and submits the information required in Section 3(D) to the Department of Industrial Relations in complete and proper form.

(2) One license may embrace multiple offices of the same employment service. However, the employment service must apply for a copy of the license for each additional office and must pay an additional annual fee of \$25.00 for each additional office.

(j) Location. The location, change of location or branch location of an employment service must meet one of the following specifications:

(1) Located in an office or professional building; or

(2) Located in a free-standing building and occupying the entire premises; or

(3) Located in office space situated in a shopping center or above or beside retail establishments; or

(4) Not directly connected with any place of business that serves liquor or provides lodging, unless such place regularly supplies office space or has restaurants as part of its facilities; or

(5) In any other location which complies with local building and zoning codes.

(k) Granting The License. (1) The Department of Industrial Relations shall issue a new or transferral license to operate an employment service if the applicant fulfills the requirements of this Act, there is no false information in the application, and the applicant is of good moral character.

(2) The Department of Industrial Relations shall refuse to issue a new or transferral license to operate an employment service if the requirements of this Act are not fulfilled, if there is false information in the application, or if the Department of Industrial Relations determines that the applicant is not of good moral character.

(3) In all cases the new or transferral license shall be granted or refused within thirty (30) days after the application has been filed.

(4) Any license issued pursuant to an application which is later found to contain false information shall be revoked.

Section 4. EMPLOYMENT SERVICE OPERATION.

(a) **Registration Charge.** No registration charge shall be charged to or accepted from a job applicant.

(b) **Advances or Deposits.** No advances or deposits shall be charged or accepted prior to the job applicant's acceptance of a position.

(c) **Referrals.** No referrals shall be made:

(1) in violation of local, state, or federal law.

(2) to a location where a legal strike or a labor dispute or a lockout is in progress without so advising the job applicant in advance.

(3) without prior contact with the company being made by the employment service and a mutually acceptable interview time being obtained prior to sending the job applicant for the interview.

(d) **Discrimination.** No employment service shall:

(1) knowingly violate the local, state or federal law regarding discrimination now in effect or which might be enacted in the future.

(2) knowingly accept any order for employment which violates such laws.

(3) knowingly advertise in any way so as to violate any local, state, or federal law regarding discrimination.

(e) **Service Charge.** No employment service shall:

(1) require of a job applicant a service charge greater than those contained in the schedule of service charges on file with the Department of Industrial Relations.

(2) require or accept a service charge from a job applicant until he has been offered a position by a company to which he has been referred by the employment service within the past twelve (12) months and has accepted a position of his choice with that company. Refusal to accept a referral under Section 4 (c) upon disclosure by the employment service shall not release the job applicant's obligation for paying the service charge where he accepts employment based on such disclosure within twelve months thereof.

(3) charge a job applicant more than 20 percent of his(her) gross earnings between the start of employment and termination when a position is terminated for any of the following reasons:

(a) Cancellation by the employer of the agreement to hire the applicant before employment has commenced.

(b) Permanent layoff for any reason except for cause.

(c) Sickness which makes the job applicant unable to perform the duties of the position for an extended period of time (subject to full service charge if applicant returns to job and continues as a regular employee).

(d) Significant misrepresentation by employer as to wages or conditions of work.

(e) Failure to receive pay within a reasonable time of stated pay day period.

(f) Insolvency or bankruptcy of employer.

(g) Working conditions that are in violation of federal, state or local laws or regulations.

(h) Proven illegal activity by company.

Failure to report for work after acceptance as defined in Section 4 (E) (2) hereof, unless it is for one of the reasons stipulated above, will not release a job applicant from his obligation to pay a service charge to the employment service for the service it has rendered.

(f) Record Keeping. The employment service shall:

(1) keep on file the contract or agreement of each job applicant that it has referred to a company for at least two years after the date of the last referral.

(2) record and keep on file all job orders that it has received from a company to which it has referred a job applicant for at least two years after the date of the last referral.

(3) record the date of each referral and the name of the company to which the individual was referred.

(4) keep on file for two years a copy of each advertisement it has placed.

(g) Misrepresentation. (1) No employment service shall knowingly misrepresent a job or employer to a job applicant.

(2) No employment service shall knowingly misrepresent a job applicant to an employer.

(3) No employment service shall knowingly advertise job openings that do not exist.

(h) Employment Service—Employer Relationship. No employment agency shall agree with any employer or his agent or employee to secure the discharge of an employee; nor shall any employment agency or its representative demand, divide or offer to divide or share directly or indirectly any fees, charge or compensation, received or to be received from any employee, with any employer or person in any way connected with the business thereof.

(i) Solicitation of Job Applicants Previously Placed. No employment service shall directly solicit or recruit as a job applicant any individual it has previously placed with an employer during that individual's tenure of employment with that employer. This prohibition shall not apply where a service charge was not collected or when the individual initiates the re-contact.

(j) License Renewal. At least 30 days before the termination date of a license, the licensee shall submit:

1. The Filing Fee of \$150 for one office and an additional \$25 for each additional office.
2. The Bond.
3. Listing of material changes from the previous license application.

The license shall be renewed automatically if there are no material changes.

(k) Penalties. Willful violations of any section or sections of this Act shall make the violator liable to a fine of not less than \$50.00 nor more than \$1,000, or imprisonment for a period not to exceed 90 days, or revocation of the employment service license if applicable, or any two or all three of these penalties. In addition, the Department of Industrial Relations shall have the right to enforce compliance with the provisions of this Act through judicial proceedings.

Section 5. INSPECTION BY DEPARTMENT OF INDUSTRIAL RELATIONS.

The Department of Industrial Relations shall conduct periodic on-site inspections of employment services licensed under this Act as it shall deem necessary to enforce the provisions of this Act. Checklists shall be developed by the Department for use in conducting the inspections. Qualified inspectors, employees of the Department, shall be designated to conduct the inspections.

Section 6. OTHER.

(a) The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not effect the part that remains.

(b) Act No. 224 H. 201. Special Session 1965, (Acts 1965 Special Session 1965, P. 304) AND ALL OTHER LAWS AND PARTS OF LAWS IN CONFLICT HEREWITH ARE HEREBY REPEALED.

(c) The provisions of this Act shall become effective 180 days after its passage and approval by the Governor, or otherwise becoming law.

(d) All license fees and penalty fines derived from this Act shall be deposited by the Department of Industrial Relations in the general fund of the State Treasury to implement the provisions of this Act.

And the substitute was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Bowers	Collins	Easters
Barkett	Brassell	Connell	Edwards
Barron	Burgess	Coshatt	Ellis
Bassett	Callahan	Cottingham	Erdreich
Benton	Carnes	Crawford	Falkenburg
Boles	Carter	Cross	Fite
Boutwell	Chesnut	Downing	Flipppo

Goodwin	Kinsey	Naramore	Snell
Grainger	Lutz	Owens	Stewart
Grey (D)	McBride	Porter	Stokes
Hardin	McCluskey	Pruitt	Stubbs
Harris	McCorquodale	Reid (R)	Turner
Headley	McDonald	Roberts	Waldrop
Hill	McMillan	Robertson	Wallace
Hughes	McNair	St. John	Warren
Jackson	Manley	Smith (K)	Williams
Jones (F)	Meeks	Smith (P)	Wynot
King	Mims		

—70

The question was then on the adoption of the amendment reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend Subsection (f) (1) in Section 3 of said bill by adding the words "or other organizations" after "benevolent organizations" on line 4 thereof, and in Section 3, Subsection d (7) strike the word "voting".

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Perloff
Barkett	Downing	Jackson	Porter
Barron	Drake	Jones (F)	Pruitt
Bassett	Easters	King	Reid (R)
Benton	Edwards	Kinsey	Reynolds
Boles	Ellis	Lutz	Roberts
Boutwell	Erdreich	McBride	Robertson
Bowers	Falkenburg	McCluskey	St. John
Brassell	Fite	McCorquodale	Smith (K)
Burgess	Flippo	McDonald	Smith (P)
Callahan	Goodwin	McMillan	Stewart
Carnes	Grainger	McNair	Stokes
Carter	Grey (D)	Manley	Stubbs
Chesnut	Hardin	May	Turner
Collins	Harris	Meeks	Waldrop
Connell	Headley	Mims	Wallace
Coshatt	Hearn	Naramore	Warren
Cottingham	Hill	Owens	Williams
Crawford			

—73

Mr. Hale offered the following amendment to the bill, H. 895 as amended:

Amend committee substitute for House Bill 895 in Section 4, sub-section (e) (3) by deleting the words "is terminated" and substituting in lieu thereof the following words: "lasts less than ninety (90) calendar days".

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Barron	Boutwell	Burgess
Adams	Bassett	Bowers	Callahan
Barkett	Boles	Brassell	Carnes

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Casey	Fite	McCluskey	Reynolds
Cauthen	Goodwin	McCorquodale	Roberts
Chesnut	Grainger	McDonald	Robertson
Connell	Grey (D)	McMillan	St. John
Coshatt	Hardin	McNair	Smith (K)
Cottingham	Harris	Manley	Smith (P)
Crawford	Headley	Mathews	Snell
Cross	Hearn	Meeks	Stewart
Doss	Hill	Mims	Stokes
Downing	Hughes	Naramore	Stubbs
Drake	Jackson	Owens	Waldrop
Easters	Jones (F)	Perloff	Wallace
Edwards	King	Porter	Warren
Ellis	Kinsey	Pruitt	Williams
Erdreich	Lutz	Reid (R)	Wynot
Falkenburg	McBride		

—74

And the bill:

H. 895. Concerning the licensing, regulation, and inspection of employment services as herein defined; providing for the enforcement of these regulations by the Department of Industrial Relations providing penalties for the violation thereof, and repealing all existing laws in conflict herewith.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 1.

Yeas:

Messrs.:	Cottingham	Hughes	Porter
Adams	Crawford	Jackson	Reid (R)
Barkett	Cross	Jones (F)	Reynolds
Barron	Crowe	King	Roberts
Bassett	Downing	Lutz	Robertson
Boles	Easters	McBride	St. John
Boutwell	Ellis	McCluskey	Smith (P)
Bowers	Erdreich	McDonald	Snell
Brassell	Falkenburg	McMillan	Stewart
Burgess	Flippo	McNair	Stokes
Callahan	Goodwin	Manley	Stubbs
Carnes	Grainger	Meeks	Waggoner
Carter	Grey (D)	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Harris	Nettles	Warren
Chesnut	Headley	Owens	Williams
Connell	Hearn	Perloff	Wynot
Coshatt	Hill		

—69

Nay: Mr. Smith (K).

—1

UNANIMOUS CONSENT GRANTED

At the request of Mr. Hill, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 895.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Crowe, unanimous consent was granted for his name to be removed as co-sponsor to the bill, H. 895.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Smith (P) moved to reconsider the vote by which the bill, H. 1356, passed, and the motion was adopted.

And the Clerk was directed to request the return of the bill, H. 1356, from the Senate for further consideration by the House.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1158. To amend Section 2 of Act No. 737, H. 649, Regular Session 1953 (Acts 1953, p. 1000), pertaining to the deposition of revenues derived from the sale of sand and gravel taken from the public water bottoms and state lands, so as to provide for an increase from five percent (5%) to seven and one-half percent (7½%) in the amount received by the State Lands Division of the Department of Conservation and Natural Resources as cost of administration of said lands.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson	Perloff
Adams	Cross	Jones (F)	Porter
Barkett	Crowe	King	Pruitt
Barron	Downing	Kinsey	Reynolds
Bassett	Drake	Lutz	Roberts
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Gafford	McNair	Stokes
Callahan	Goodwin	Manley	Stubbs
Carnes	Grainger	May	Turner
Carter	Grey (D)	Meeks	Waggoner
Casey	Hardin	Merrill	Waldrop
Cauthen	Harris	Mims	Wallace
Chesnut	Headley	Naramore	Warren
Collins	Hearn	Nettles	Williams
Connell	Hill	Owens	Wynot
Cottingham			

—73

And the bill:

H. 1159. To amend Section 9 of Act No. 341, H. 26, Regular Session 1945 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by said Department for administering, managing, protecting or developing state owned land will be raised from five percent (5½%) of the gross income derived from said land to seven and one-half percent (7½%).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Porter
Adams	Cross	Jackson	Reynolds
Barkett	Crowe	King	Roberts
Barron	Downing	Kinsey	Robertson
Bassett	Drake	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Falkenburg	McMillan	Snell
Bowers	Fite	McNair	Stewart
Brassell	Flippo	Manley	Stokes
Callahan	Gafford	May	Stubbs
Carnes	Goodwin	Meeks	Turner
Carter	Grainger	Merrill	Waggoner
Casey	Grey (D)	Mims	Waldrop
Chesnut	Hardin	Naramore	Wallace
Connell	Harris	Nettles	Warren
Coshatt	Headley	Owens	Williams
Cottingham	Hearn	Perloff	Wynot

—72

And the bill:

H. 419. To amend Title 52, Section 100, Code of Alabama, 1940, changing the name of School Trustees to that of Local School Advisory Committee and to repeal Title 52, Sections 138, 139, 140, 141, 143, 144, 145, 146, and 147 and to further provide for the selection of Local School Advisory Committees and specify their powers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crowe	Headley	Porter
Adams	Doss	Hearn	Reid (R)
Adwell	Downing	Hill	Reynolds
Barkett	Drake	Jackson	Roberts
Barron	Easters	King	Robertson
Bassett	Edwards	Lutz	Slate
Boutwell	Ellis	McBride	Smith (P)
Brassell	Erdreich	McMillan	Snell
Callahan	Falkenburg	McNair	Stewart
Carnes	Fite	Manley	Turner
Carter	Flippo	Meeks	Waggoner
Casey	Gafford	Merrill	Waldrop
Cauthen	Goodwin	Mims	Wallace
Chesnut	Grainger	Naramore	Warren
Connell	Grey (D)	Nettles	Williams
Cottingham	Hardin	Owens	Wise
Cross	Harris	Perloff	Wynot

—68

And the bill:

H. 1312. Providing penalties for any non-resident of this state who gives false information in order to obtain a resident hunting or fishing license.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Cross	Jackson	Reid (R)
Adams	Crowe	Jones (F)	Reynolds
Adwell	Doss	King	Roberts
Barkett	Downing	Kinsey	St. John
Barron	Drake	Lutz	Slate
Bassett	Easters	McBride	Smith (K)
Boles	Edwards	McCluskey	Smith (P)
Boutwell	Ellis	McCorquodale	Snell
Bowers	Erdreich	McDonald	Stokes
Brassell	Falkenburg	McMillan	Stubbs
Callahan	Flippo	Manley	Turner
Carnes	Gafford	May	Waggoner
Carter	Goodwin	Meeks	Waldrop
Casey	Grainger	Mims	Wallace
Cauthen	Grey (D)	Naramore	Warren
Chesnut	Hardin	Nettles	Williams
Connell	Harris	Owens	Wise
Coshatt	Headley	Perloff	Wood
Cottingham	Hearn	Porter	Wynot
Crawford	Hill	Pruitt	

—79

Nay: Mr. McNair.

—1

And the bill:

H. 1311. Relating to non-resident hunting licenses; amending Section 2 and Section 4 of Act No. 751, H. 330, Regular Session 1965, (Acts 1965, p. 1365), so as to increase the cost of various types of non-resident hunting licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Cottingham	Hardin	May
Adams	Crawford	Harris	Meeks
Adwell	Cross	Headley	Mims
Barkett	Crowe	Hearn	Naramore
Barron	Doss	Hill	Nettles
Bassett	Downing	Jackson	Owens
Boles	Drake	Jones (F)	Perloff
Boutwell	Easters	King	Porter
Bowers	Edwards	Kinsey	Pruitt
Brassell	Erdreich	Lutz	Reid (R)
Callahan	Falkenburg	McBride	Reynolds
Carnes	Fite	McCluskey	Roberts
Carter	Flippo	McCorquodale	St. John
Casey	Gafford	McDonald	Slate
Cauthen	Goodwin	McMillan	Smith (K)
Chesnut	Grainger	McNair	Snell
Coshatt	Grey (D)	Manley	Stokes

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Stubbs	Waldrop	Williams	Wood	
Therrell	Wallace	Wise	Wynot	
Turner	Warren			—78

Nays: Messrs. Connell and Stewart. —2

And the bill:

H. 1313. To amend Section 39 and Section 40, Title 8, Code of Alabama 1940, as amended, which sections relate to the costs of non-resident fishing license, so as to further regulate the costs of said licenses.

Was read a third time at length and passed, and ordered sentforthwith to the Senate without engrossment.

Yeas 74; Nays 3.

Yeas:

Mr. Speaker	Crawford	King	Reynolds
Adams	Cross	Kinsey	Roberts
Adwell	Doss	Lutz	St. John
Barkett	Downing	McBride	Slate
Barron	Drake	McCluskey	Smith (K)
Bassett	Easters	McCorquodale	Smith (P)
Boles	Edwards	McDonald	Snell
Boutwell	Ellis	McMillan	Stokes
Bowers	Erdreich	Manley	Stubbs
Brassell	Falkenburg	May	Therrell
Callahan	Flippo	Meeks	Turner
Carnes	Gafford	Mims	Waldrop
Carter	Goodwin	Naramore	Wallace
Casey	Grainger	Nettles	Warren
Cauthen	Hardin	Owens	Williams
Chesnut	Headley	Perloff	Wise
Connell	Hearn	Porter	Wood
Coshatt	Hill	Pruitt	Wynot
Cottingham	Jackson		—74

Nays: Messrs. Crowe, McNair and Stewart. —3

And the bill:

H. 952. (With Substitute): To amend further Code of Alabama 1940, Title 55, Section 305 which relates to the establishment of employment registers under the Merit System law for the various classes of positions in the classified service of the State of Alabama, in order to clarify the extension of veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Military Affairs, said Committee substitute being as follows:

To amend further Code of Alabama 1940, Title 55, Section 305 which relates to the establishment of employment registers under the Merit System law for the various classes of positions in the classified service of the State of

Alabama, in order to clarify the extension of veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama, Title 55, Section 305, as amended, is further amended by the addition of the following:

"Section 305. Tests— for the purposes of this Section, the term 'honorably discharged' is synonymous or equivalent to 'separation from active service in the military under honorable conditions. For the further purposes of this section, the phrase 'ever served in the armed forces of the United States' shall mean (1) those persons who have served on what is commonly known as 'active duty' in the armed forces of the United States, (2) those persons serving continuously for 180 days or more on Active Duty for Training under the federal national guard or reserve components programs, (3) and those persons serving with the national guard or other United States armed forces reserve components at such time as these components are activated by the United States Defense Department for special riot or emergency duties, provided such duty shall consist of 90 days or more."

Section 2. Code of Alabama, Title 55, Section 305, as amended, is amended further by the deletion of the following: "Section 305.— , and because of disability are entitled to pension, compensation or disability allowance under existing laws: . . ."

Section 3. This Act shall become effective immediately upon passage and approved by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Roberts
Adams	Downing	Lutz	St. John
Barkett	Drake	McBride	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stokes
Brassell	Flippo	Manley	Stubbs
Callahan	Gafford	May	Therrell
Carnes	Goodwin	Meeks	Turner
Carter	Grainger	Merrill	Waggoner
Casey	Hardin	Mims	Waldrop
Chesnut	Harris	Naramore	Wallace
Connell	Headley	Nettles	Warren
Coshatt	Hearn	Owens	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Jackson	Porter	Wood
Cross	Jones (F)	Pruitt	Wynot
Crowe	King	Reynolds	

—79

And the bill, H. 952 as thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

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Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Roberts
Adams	Downing	Lutz	St. John
Barkett	Drake	McBride	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stokes
Brassell	Flippo	Manley	Stubbs
Callahan	Gafford	May	Therrell
Carnes	Goodwin	Meeks	Turner
Carter	Grainger	Merrill	Waggoner
Casey	Hardin	Mims	Waldrop
Chesnut	Harris	Naramore	Wallace
Connell	Headley	Nettles	Warren
Coshatt	Hearn	Owens	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Jackson	Porter	Wood
Cross	Jones (F)	Pruitt	Wynot
Crowe	King	Reynolds	

—79

UNANIMOUS CONSENT GRANTED

At the request of Mr. Harris, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 952.

And the bill:

H. 1583. To amend Section 12 (B) of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8), as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which related to establishing drilling units and the minimum and maximum size of drilling units.

Was taken up.

Mr. Callahan offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 12 of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8) as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which relates to establishing drilling units and the minimum and maximum size of drilling units.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 12 of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8) as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), is amended further to read as follows:

"Section 12. (A) Whether or not the total production from a pool be limited or prorated, no rule, regulation, or order of the board shall be such in

terms of effect (1) that it shall be necessary at any time for the producer from, or the owner of, a tract of land in the pool, in order that he may obtain such tract's just and equitable share of the production of such pool, as such share is set forth in this section, to drill and operate any well or wells on such tract in addition to such well or wells as can without waste produce such share, or (2) as to occasion net drainage from a tract unless there be drilled and operated upon such tract a well or wells in addition to such well or wells thereon as can without waste produce such tract's just and equitable share, as set forth in this section, of the production of such pool.

"(B) For the prevention of waste, to protect and enforce the correlative rights of the owners and producers in a pool or pools, and to avoid the augmenting and accumulation of risks arising from the drilling of an excessive number of wells, the Board shall, after notice and hearing, establish a drilling unit or units for each pool or pools. A drilling unit, as contemplated herein, means the maximum area which may be efficiently and economically drained by one well, and such unit shall constitute a developed unit as long as a well is located thereon which is capable of producing oil and/or gas in paying quantities.

"(C) Each well permitted to be drilled upon any drilling unit to a pool in a field with respect to which the board has promulgated special rules shall be drilled at a location on the unit authorized by such special rules, and each well permitted to be drilled upon any drilling unit where the location thereof is not prescribed by special rules shall be drilled at a location on the unit authorized by rules of state-wide application promulgated by the board, with such exceptions as may be reasonably necessary, where it is shown, after notice and hearing, and the board finds, that the unit is partly outside the pool, or, for some other reason, that a well located in accordance with applicable rules would be nonproductive, or where topographical conditions are such as to make the drilling at an authorized location on the unit unduly burdensome, or where an exception is necessary to prevent the confiscation of property. Whenever an exception is granted, the board shall take such action as will offset any advantage which the person securing the exception may have over other producers by reason of the drilling of the well as an exception, and so that drainage from developed units to the tract with respect to which the exception is granted will be prevented or minimized and the producer of the well drilled as and exception will be allowed to produce no more than his just and equitable share of the oil and gas in the pool, as such share is set forth in this section.

"(D) Subject to the reasonable requirements for prevention of waste and to the reasonable adjustment because of structural position, a producer's just and equitable share of the oil and gas in the pool (also sometimes referred to as a tract's just and equitable share) is that part of the authorized production for the pool (whether it be the total which could be produced without any restriction on the amount of production, or whether it be an amount less than that which the pool could produce if no restriction on amount were imposed) which is substantially in the proportion that the quantity of recoverable oil and gas in the developed area of his tract or tracts in the pool bears to the recoverable oil and gas in the total developed area of the pool, insofar as these amounts can be practically ascertained; and to that end, the rules, regulations, permits, and orders of the board shall be such as will prevent or minimize reasonably avoidable net drainage from each developed unit (this is, drainage which is not equalized by counterdrainage), and will

give to each producer the opportunity to use his just and equitable share of the reservoir energy. In determining each producer's just and equitable share of the authorized production for the pool, the board is authorized to give due consideration to the productivity of the well or wells located thereon, as determined by flow test, bottom hole pressure tests, or any other practical method of testing wells and producing structures, and to consider such other factors and geological or engineering tests and data as may be determined by the supervisor to be pertinent or relevant to ascertaining each producer's just and equitable share of the production and reservoir energy of the field or pool.

"Provided, however, the provisions of this Section shall not apply to existing fields, existing units or existing leases."

Section 2. If any clause, sentence, paragraph, provision, part, or section of this Act shall for any reason be adjudged by any court of competent jurisdiction invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, provision, part, or section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Crowe	Lutz	Reynolds
Adams	Doss	McBride	Roberts
Adwell	Downing	McCluskey	Robertson
Barkett	Drake	McCorquodale	St. John
Barron	Edwards	McDonald	Slate
Bassett	Ellis	McMillan	Smith (K)
Boles	Fite	McNair	Smith (P)
Boutwell	Flippo	Manley	Snell
Bowers	Gafford	Meeks	Stewart
Brassell	Goodwin	Merrill	Stokes
Carnes	Grainger	Mims	Turner
Carter	Hale	Naramore	Waggoner
Chesnut	Hardin	Nettles	Wallace
Collins	Hearn	O'Daniel	Warren
Connell	Hill	Owens	Williams
Coshatt	Jones (F)	Perloff	Wise
Cottingham	King	Porter	Wynot
Cross	Kinsey	Pruitt	

—71

And the bill:

H. 1583. To amend further Section 12 of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8) as amended by Act No. 83, 1956 Section Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which relates to establishing drilling units and the minimum and maximum size of drilling units.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 3.

Yeas:

Mr. Speaker	Cross	King	Perloff
Adams	Crowe	Kinsey	Porter
Adwell	Downing	Lutz	Pruitt
Barkett	Drake	McBride	Reynolds
Barron	Easters	McCluskey	St. John
Boles	Edwards	McCorquodale	Slate
Boutwell	Ellis	McDonald	Smith (K)
Bowers	Flippo	McMillan	Smith (P)
Brassell	Gafford	Manley	Snell
Carnes	Goodwin	Meeks	Stokes
Carter	Grainger	Merrill	Turner
Chesnut	Hale	Mims	Waggoner
Collins	Harris	Naramore	Wallace
Connell	Hill	Nettles	Williams
Coshatt	Hughes	O'Daniel	Wise
Cottingham	Jones (F)	Owens	Wynot

—64

Nays: Messrs. McNair, May and Wood.

—3

And the bill:

H. 1585. To amend Section 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, an Act to conserve natural resources, prevent waste and provide regulation, control and supervision of the drilling for and the production and use of oil and gas in the State of Alabama so as to add a provision for integrating interests as well as tracts.

Was taken up.

Mr. Callahan offered the following substitute to the bill:

To amend Section 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, an act to conserve natural resources, prevent waste and provide regulation, control and supervision of the drilling for and the production and use of oil and gas in the State of Alabama so as to add a provision for integrating interests as well as tracts.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 13 of Act No. 1, General Acts of Alabama 1945, page 1, approved May 22, 1945, is hereby amended to read as follows:

"Section 13. Development of Lands as Drilling Unit by Agreement or Order of the Board.

"A. When two or more separately owned tracts are embraced within a drilling unit, or when there are separately owned interests in all or a part of the drilling unit, the owners thereof may validly agree to integrate their tracts and interests and to develop their lands as a drilling unit. However, in the absence of an agreement to integrate their tracts and interests, the Board shall, for the prevention of waste or to avoid drilling unnecessary wells, require such owners to do so and to develop their lands as a drilling unit.

"B. The board, in order to prevent waste and avoid the drilling of unnecessary wells, may permit or require the cycling of gas in any pool or portion

thereof and is also authorized to permit or require the introduction of gas or other substance into an oil or gas reservoir for the purpose of repressuring such reservoir, maintaining pressure, or carrying on secondary recovery operations. The board may require pooling or integration of tracts or interests when reasonably necessary in connection with cycling operations.

"C. All orders requiring integration, pooling, cycling, repressuring, pressure maintenance, or secondary recovery operations shall be made after notice and hearing and shall be upon terms and conditions that are just and reasonable and which will afford to the owner of each tract or interest the opportunity to recover or receive his just and equitable share of the oil and gas in the pool without unnecessary expense and will prevent or minimize reasonably avoidable drainage from each unit which is not equalized by counter-drainage. The portion of the production allocated to the owner of each tract or interest included in an integrated or pooled unit formed by an integration or pooling order shall, when produced, be considered as if it had been produced from such tract by a well drilled thereon. In the event such integration or pooling is required, the operator designated by the board to develop and operate the integrated or pooled unit shall have the right to charge against the interest of each other owner in the production from the wells drilled by such designated operator the actual expenditures required for such purpose, not in excess of what are reasonable, including a reasonable charge for supervision; and the operator shall have the right to receive the first production from such wells drilled by him thereon which otherwise would be delivered or paid to the other parties jointly interested in the drilling of the well so that the amount due by each of them for his share of the expense of drilling, equipping, and operating the well may be paid to the operator of the well out of production, with the value of production calculated at the market price in the field at the time such production is received by the operator or placed to his credit. In the event of any dispute relative to such costs, the board shall determine the proper cost.

"D. Should the owners of separate tracts or interests embraced with a drilling unit fail to agree upon the integration of the tracts or interests and the drilling of a well on the unit, and should it be established that the board is without authority to require integration as provided for in this section, then, subject to all other applicable provisions of this article, the owner of each tract or interest embraced within the drilling unit may drill on his tract; but the allowable production from such tract shall be such proportion of the allowable production for the full drilling unit as the area of such separately owned tract or interest bears to the full drilling unit.

"E. Agreements made in the interest of conservation of oil or gas, or both, or for the prevention of waste, between and among owners or operators, or both, owning separate holdings in the same oil or gas pool, or in any area that appears from geological or other data to be underlaid by a common accumulation of oil or gas, or both and agreements between and among such owners or operators, or both, and royalty owners therein, of the pool or area, or any part thereof, as a unit for establishing and carrying out a plan for the cooperative development and operation thereof, when such agreements are approved by the board, are hereby authorized and shall not be held or construed to violate any of the statutes of this state relating to trusts, monopolies, or contracts and combinations in restraint of trade."

Section 2. If any clause, sentence, paragraph, provision, part, or section of this Act shall for any reason be adjudged by a court of competent jur-

isdiction invalid, such judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, provision, part, or section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or by its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Porter
Adams	Crowe	King	Pruitt
Adwell	Doss	Kinsey	Reynolds
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Smith (K)
Boles	Easters	McCluskey	Smith (P)
Boutwell	Edwards	McDonald	Snell
Brassell	Falkenburg	McMillan	Stokes
Carnes	Gafford	Manley	Turner
Carter	Goodwin	Meeks	Waggoner
Chesnut	Grainger	Merrill	Waldrop
Collins	Hale	Mims	Wallace
Connell	Harris	Naramore	Warren
Coshatt	Hill	Nettles	Williams
Cottingham	Hughes	O'Daniel	Wise
Crawford	Jackson	Owens	Wynot

—64

And the bill:

H. 1585. As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 5.

Yeas:

Mr. Speaker	Edwards	Jones (F)	Parker
Adams	Ellis	King	Perloff
Barkett	Erdreich	Kinsey	Porter
Barron	Falkenburg	Lutz	Pruitt
Benton	Flippo	McBride	Reynolds
Boutwell	Gafford	McCluskey	St. John
Carnes	Goodwin	McCorquodale	Smith (K)
Carter	Grainger	McDonald	Smith (P)
Cauthen	Hale	McMillan	Snell
Chesnut	Harris	Manley	Stokes
Cottingham	Headley	Meeks	Stubbs
Cross	Hill	Mims	Turner
Doss	Hughes	Naramore	Waggoner
Downing	Jackson	Owens	Wallace
Easters			

—57

Nays:

Messrs.:	Nettles	Waldrop	Wood
McNair	Stewart		

—5

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RESOLUTION

The following resolution was introduced:

By Messrs. Drake, St. John, McDonald, Doss, Fite, Pruitt, Mathews, Lyons, McCorquodale and Slate:

H. J. R. 179. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF BRYCE C. DAVIS.

WHEREAS the Legislature notes with sincere regret the recent death of an outstanding citizen of Alabama, Bryce C. Davis; and

WHEREAS Bryce C. Davis served his community and the State of Alabama in a distinguished and outstanding manner as chairman of the State ABC Board during the first term of Governor James E. Folsom and as a member of the House of Representatives where he was also chairman of the Ways and Means Committee; and

WHEREAS the members of the Legislature wish to honor the memory of this dedicated public servant; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express our deep regret at the passing of Mr. Davis, and on behalf of the people of Alabama extend deep and sincere sympathy to the members of the family.

BE IT FURTHER RESOLVED That the Clerk of the House shall send a copy of this resolution to Mrs. Davis.

On motion of Mr. Drake, the rules were suspended and the resolution, H. J. R. 179, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1584. To amend Section 25 of Act No. 1, 1945, General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by increasing the permit fee for oil and gas wells from \$25.00 per well to \$100.00 per well, and to provide for the deposition of permit fees, penalties and publication fees in the Oil and Gas Fund; said fund to be used by the Oil and Gas Supervisor to defray expenses incurred by the Supervisor in the performance of his duties under this article.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Ellis
Adams	Carnes	Cross	Erdreich
Barkett	Carter	Culver	Flippo
Barron	Casey	Doss	Gafford
Bassett	Chesnut	Downing	Grainger
Benton	Connell	Easters	Hale
Boutwell	Cottingham	Edwards	Hardin

Harris	McCluskey	Naramore	Stewart
Headley	McCorquodale	Nettles	Stokes
Hill	McDonald	Owens	Stubbs
Hughes	McMillan	Parker	Therrell
Jackson	McNair	Porter	Turner
Jones (F)	Manley	Pruitt	Waggoner
King	Mathews	Roberts	Waldrop
Kinsey	May	St. John	Wise
Lang	Meeks	Smith (K)	Wood
Lutz	Merrill	Smith (P)	Wynot
McBride	Mims	Snell	

—71

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing and having voted on the prevailing side, Mr. Slate moved to reconsider the vote by which the bill, H. 1304, was passed, and the motion was adopted.

Yeas 67; Nays 4.

Yeas:

Messrs.:	Crawford	Jackson	Porter
Adams	Cross	Jones (F)	Pruitt
Barkett	Doss	King	Roberts
Barron	Downing	Kinsey	St. John
Bassett	Drake	Lutz	Slate
Benton	Easters	McBride	Smith (K)
Boutwell	Edwards	McDonald	Stewart
Brassell	Ellis	McNair	Stokes
Burgess	Falkenburg	Manley	Stubbs
Carnes	Fite	Mathews	Turner
Carter	Flippo	May	Waggoner
Cason	Granger	Meeks	Waldron
Cauthen	Hale	Merrill	Warren
Chesnut	Hardin	Mims	Williams
Connell	Harris	Naramore	Wise
Coshatt	Headley	Nettles	Wood
Cottingham	Hill	Perloff	Wynot

—67

Nays:

Mr. Speaker	Hughes	Lang	Wallace
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—4

The Clerk was instructed to request the return of the bill, H. 1304, from the Senate for further consideration by the House.

BILLS ON THIRD READING RESUMED

And the bill:

H. 329. To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System.

Was taken up.

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Mr. Erdreich offered the following amendment to the bill:

Add as Sub-Section (I) to Section 4, the following:

"(I) For capital outlays for the purchase of permanent and portable truck-weighing stations:

For fiscal year ending Sept. 30, 1974	\$2,000,000
For fiscal year ending Sept. 30, 1975	\$1,500,000

No less than 60% of said funds shall be expended in each fiscal year."

And the amendment was adopted.

Yeas 70; Nays 8.

Yeas:

Mr. Speaker Adams Adwell Agee Barron Bassett Boutwell Brassell Burgess Carnes Carter Casey Coshatt Cottingham Crowe Culver Doss Downing	Edwards Ellis Erdreich Falkenburg Flippo Gafford Goodwin Grainger Gray (F) Grey (D) Hale Hardin Harris Headley Hearn Hill Hughes Jackson	Jones (F) King Lutz McBride McCluskey McCorquodale McDonald McMillan McNair Mathews May Meeks Merrill Mims Naramore Nettles O'Daniel	Owens Perloff Pruitt Roberts Robertson St. John Smith (P) Snell Stewart Stubbs Therrell Turner Waggoner Waldrop Wallace Warren Wood
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—70

Nays:

Messrs.: Benton Chesnut	Cross Fite	Lang Porter	Smith (K) Williams
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—8

And the bill:

H. 329. As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker Adams Adwell Agee Barkett Barron Bassett Benton Boutwell	Brassell Burgess Carnes Carter Casey Chesnut Collins Coshatt Cottingham	Cross Crowe Culver Doss Downing Edwards Ellis Erdreich Falkenburg	Flippo Gafford Goodwin Grainger Gray (F) Grey (D) Hale Hardin Harris
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Headley	McCorquodale	O'Daniel	Snell
Hearn	McDonald	Owens	Stewart
Hill	McMillan	Perloff	Stubbs
Hughes	McNair	Porter	Therrell
Jackson	Mathews	Pruitt	Turner
Jones (F)	May	Reed (T)	Waggoner
King	Meeks	Reynolds	Waldrop
Kinsey	Merrill	Roberts	Wallace
Lang	Mims	St. John	Warren
Lutz	Naramore	Smith (K)	Williams
McBride	Nettles	Smith (P)	Wood
McCluskey			

—81

And the bill:

H. 330. To make additional appropriations to the Highway Department for the construction of public highways and bridges in the state to supplement those amounts appropriated by Act No. 90, First Special Session of the Legislature 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Porter
Adams	Culver	Jackson	Pruitt
Adwell	Doss	Jones (F)	Reed (T)
Agee	Downing	King	Reynolds
Bama	Ellis	Kinsey	Roberts
Barkett	Erdreich	Lang	St. John
Barron	Falkenburg	Lutz	Smith (K)
Bassett	Fite	McBride	Smith (P)
Benton	Flipppo	McCluskey	Snell
Boles	Gafford	McCorquodale	Stewart
Boutwell	Goodwin	McDonald	Stubbs
Bowers	Grainger	McMillan	Therrell
Brassell	Gray (F)	Mathews	Turner
Burgess	Gray (D)	May	Waggoner
Carnes	Hale	Merrill	Waldrop
Carter	Hardin	Mims	Wallace
Casey	Harris	Naramore	Warren
Cauthen	Headley	Nettles	Williams
Chesnut	Hearn	Owens	Wise
Collins	Hill	Parker	Wood
Coshatt		Perloff	Wynot
Cross			

—85

And the bill:

H. 979 (With Substitute) (With Amendment): To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Commerce and Transportation, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 89, Title 36, Code of Alabama 1940, as amended, is hereby further amended to read as follows:

"Section 89. It shall be unlawful for any person to drive or move on any highway in this state any vehicle or vehicles of a size or weight except in accordance with the following provisions:

"(a) Width. No vehicle shall exceed a total outside width, including any load thereon, of eight feet. No vehicle shall be driven or drawn upon a highway with more than four animals abreast. No passenger vehicle shall carry any load extending beyond the line of the fenders. No vehicle hauling forest products shall have a load exceeding 102 inches in width, provided, however, these limits shall not be permitted on any interstate or defense highways where such limits are prohibited by federal statute.

"(b) Height. No vehicle or semi-trailer shall exceed in height thirteen and one-half (13 ½) feet.

"(c) Length. No vehicle shall exceed in length forty (40) feet, except that the length of semi-trailer trucks, including any part of the body or load shall not exceed fifty-five (55) feet. No vehicle operated on a highway shall carry any load extending more than a total of five (5) feet beyond both the front and rear, inclusive, of the vehicle.

"(d) Weight. (1) The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed twenty thousand (20,000) pounds, or such other weight, if any, as may be permitted by federal law to keep the state from losing federal funds; provided, however, that inadequate bridges shall be posted to define load limits.

"(2) For the purpose of this Act, an axle load shall be defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty (40) inches apart, extending across the full width of the vehicle.

"(3) Subject to the limit upon the weight imposed upon the highway through any one axle as set forth herein, the total weight with load imposed upon the highway by all the axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distances between the first and last axle of the vehicle or combination of vehicles, measured longitudinally to the nearest foot as set forth in the following table:

COMPUTED GROSS WEIGHT TABLE

For various spacings of axle groupings

Distance in feet between first and last axles of vehicle or combination of vehicles	Maximum load in pounds on all the axles				
	2 axles	3 axles	4 axles	5 axles	6 axles
8 Feet, or less	36,000	42,000	42,000		
9 "	38,000	42,500	42,500		
10 "	40,000	43,500	43,500		
11 "		44,000	44,000		
12 "		45,000	50,000	50,000	
13 "		45,500	50,500	50,500	
14 "		46,500	51,500	51,500	
15 "		47,000	52,000	52,000	
16 "		48,000	52,500	58,000	58,000
17 "		48,500	53,500	58,500	58,500
18 "		49,500	54,000	59,000	59,000
19 "		50,000	54,500	60,000	60,000
20 "		51,000	55,500	60,500	66,000
21 "		51,500	56,000	61,000	66,500
22 "		52,500	56,500	61,500	67,000
23 "		53,000	57,500	62,500	68,000
24 "		54,000	58,000	63,000	68,500
25 "		54,500	58,500	63,500	69,000
26 "		56,000	59,500	64,000	69,500
27 "		57,000	60,000	65,000	70,000
28 "		59,000	60,500	65,500	71,000
29 "		60,000	61,500	66,000	71,500
30 "			62,000	66,500	72,000
31 "			63,500	67,000	72,500
32 "			64,500	68,000	73,500
33 "			65,000	69,000	74,000
34 "			65,500	70,000	74,500
35 "			66,500	71,000	75,000
36 "			67,000	72,000	76,000
37 "			68,000	73,000	77,000
38 "			69,000	74,000	78,000
39 "			70,000	75,000	79,000
40 "			71,000	76,000	80,000
41 "			72,000	77,000	81,000
42 "			73,000	78,000	82,000
43 "			74,000	79,000	83,000
44 " and over			75,000	80,000	84,000

"Except as provided by special permits, no vehicle or combination of vehicles exceeding the gross weights specified above shall be permitted to travel on the public highways within the State of Alabama.

"The maximum gross weight limit of any vehicle or combination of vehicles, including any tolerance which may be granted hereunder, shall not exceed the maximum gross weights prescribed by the Congress of the United States under the provisions of subsection 127, Section 1, Chapter 1, Title 23, United States Code, or any other federal legislation amendatory thereof, or

supplemental thereto, and no vehicles or combinations of vehicles shall be permitted to operate on any portion of the Interstate Highway System of Alabama except as shall meet the above provisions of United States Code.

"(4) For purposes of enforcement of subsection (d) of this Section, all scaled weights shall be deemed to have a margin of error of ten percent (10%) of the true gross or axle weights.

"(5) Dump trucks, dump trailers, concrete mixing trucks, fuel oil, gasoline trucks, and trucks designated and constructed for special type work or use shall not be made to conform to the axle spacing requirements of subsection (d) (3) of this section provided that such vehicle shall be limited to a weight of 20,000 pounds per axle plus scale tolerances, and provided further that the maximum gross weight of such vehicles shall not exceed the maximum weight allowed by this section for the appropriate number of axles, irrespective of the distance between axles, plus allowable scale tolerances. All axles shall be brake equipped.

"(6) If the driver of any vehicle can comply with the weight requirements of this section by shifting or equalizing the load on all wheels or axles and does so when requested by the proper authority, said driver shall not be held to be operating in violation of this section.

"(7) It is the legislative intent and purpose of this Act that when portable scales are used in the enforcement of the provisions of this Act the axles of those units described or commonly referred to as tandem rigs or units, shall be weighted simultaneously and the total weight prorated or distributed.

"(8) Provided further, that the governing body of a county, by appropriate resolutions, may authorize limitations less than those prescribed herein for vehicles operated upon the county highways of such county.

"(9) Provided further, that the state highway department, for cause shall have the right to post or limit any road or bridge to weights less than those prescribed by this Section."

Section 2. All laws and parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Bassett	Carnes	Doss
Adams	Benton	Carter	Downing
Adwell	Boles	Casey	Drake
Agee	Boutwell	Cauthen	Falkenburg
Bank	Bowers	Chesnut	Flippo
Barkett	Brassell	Coshatt	Gafford
Barron	Burgess	Cross	Goodwin

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Gray (F)	McBride	Porter	Stewart
Grey (D)	McCluskey	Pruitt	Stokes
Hale	McCorquodale	Reed (T)	Stubbs
Harris	McDonald	Reid (R)	Therrell
Headley	McMillan	Reynolds	Waggoner
Hearn	McNair	Roberts	Waldrop
Hill	Manley	Robertson	Wallace
Hughes	Mathews	St. John	Warren
Jackson	May	Slate	Williams
King	Meeks	Smith (K)	Wise
Kinsey	Mims	Smith (P)	Wood
Lang	Owens	Snell	Wynot
Lutz	Perloff		

—78

Nay: Mr. Jones (F).

—1

The question was then on the adoption of the amendment reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

(1) Amends Section 1, Sub-section (d) (5) by striking nothing therefrom but adding at the end of said Sub-section (d) (5) the following:

It shall be a violation if such vehicles named under Sub-section (5) travel upon bridges designated and posted by the Highway Director as incapable of carrying such loads.

And the amendment was adopted.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker	Downing	Kinsey	Reid (R)
Adams	Drake	Lang	Reynolds
Adwell	Ellis	Lutz	Roberts
Agee	Fite	McBride	Robertson
Bank	Flippo	McCluskey	St. John
Bassett	Gafford	McCorquodale	Slate
Benton	Goodwin	McDonald	Smith (K)
Boles	Grainger	Manley	Snell
Boutwell	Gray (F)	May	Stokes
Bowers	Grey (D)	Meeks	Waggoner
Brassell	Hale	Mims	Waldrop
Burgess	Harris	Owens	Wallace
Carnes	Headley	Parker	Warren
Carter	Hearn	Perloff	Williams
Cauthen	Hill	Porter	Wise
Chesnut	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cross	King		

—70

Nay: Mr. McNair.

—1

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Harris, Barron, Jones (F) and Gray (F):

H. J. R. 180. MOURNING THE DEATH OF JOHN MYRICK ASHLEY, JR.

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2705

WHEREAS, John Myrick Ashley, Jr. was born in Montgomery on July 4, 1914, the son of John Myrick and Ethel Ross Ashley; and

WHEREAS, John Myrick Ashley, Jr. graduated from Sidney Lanier High School in 1932 and went to work full time for the Wilson Agency in real estate and insurance where he had been working since age 12 after school and during summers; and

WHEREAS, John Myrick Ashley, Jr. at age 18 joined the Gunter-Nicrosi Realty Company. He resigned as Vice-President in 1942 to enlist as a private in the Army Air Corps and was honorably discharged as a Captain in 1946; and

WHEREAS, in 1946 John Myrick Ashley, Jr. organized his own real estate and insurance business which later became Ashley Brothers; and

WHEREAS, John Myrick Ashley, Jr. married Mary Dowdell of Montgomery in April 1941 and was the father of five children; and

WHEREAS, John Myrick Ashley, Jr. was a member and deacon of the Trinity Presbyterian Church. He served as President of the Junior Chamber of Commerce, the Society of Pioneers of Montgomery (Charter member and trustee), the South Alabama Fair Association, the Montgomery Real Estate Board, the Montgomery Fire and Casualty Insurance Agents, and Chairman of the Montgomery Housing Authority. He also served on the Board of Directors of the Montgomery Area Chamber of Commerce, the Kiwanis Club, the Montgomery Chapter American Red Cross, Downtown Unlimited, and the Gulf American Fire and Casualty Company; and

WHEREAS, John Myrick Ashley, Jr. died on August 29, 1972; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the death of John Myrick Ashley, Jr. and expresses its deep sorrow to the members of his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mrs. Ashley and the members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 180, on the Clerk's desk for one legislative day.

Also:

By Messrs. Boutwell, McBride, Doss, Waggoner, Meeks, Bowers, Dill, Hughes, Boles, McNair, Erdreich, Wallace, McMillan and Ellis:

H. R. 181. WISHING MRS. MARTHA J. ADWELL A SPEEDY RECOVERY

WHEREAS, Mrs. Martha J. Adwell, the mother of our colleague, Representative Bob Adwell, has recently suffered an illness from which she is now recovering; and

WHEREAS, this body wishes to express to her their concern over her illness and to wish her a fast and full recovery; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That they do wish Mrs. Martha J. Adwell a speedy and complete recovery from her illness.

BE IT FURTHER RESOLVED That the Clerk of the House is hereby instructed to send Mrs. Adwell a copy of this resolution.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 181, on the Clerk's desk for one legislative day.

Also:

By Mr. Ellis:

H. J. R. 182. REQUIRING CERTAIN DUTIES OF THE STATE PERSONNEL BOARD RESPECTING THE CLASSIFICATION OF POSITIONS FOR EMERGENCY MEDICAL SERVICES AND THE ESTABLISHMENT OF RATES OF PAY

WHEREAS, the health of the people of the State of Alabama is of paramount importance, and the provision for more adequate and efficient emergency medical services personnel is of dire and vital import; and

WHEREAS, in order to carry out the mandates expressed by the legislature to provide comprehensive health planning and particularly to provide for the employment of personnel of the highest qualification and competence in the emergency services division of the state health department is basic to the success of the entire program; and

WHEREAS, intense competition among private and governmental agencies for persons skilled in emergency health services and the protection of health makes it impossible to recruit qualified new personnel and makes it difficult to retain competent personnel under present conditions; and

WHEREAS, the increased and expanding programs for providing emergency health services throughout the nation has created and will create intense competition among those programs for the limited supply of top quality medical technicians and persons skilled in allied health services, and there is strong evidence that pay rates currently applicable to such employees in Alabama fall far below the national average and below the Southeastern regional average for such pay rates; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state personnel board shall provide for the establishment within the state merit system of new job descriptions defining the duties of emergency medical personnel and prescribing requirements for qualifying for such positions. Within 30 days after the effective date of this resolution, the said board is hereby directed to make surveys of the other states within the Southeastern region to determine prevailing rates of pay for comparable emergency medical service positions as such positions are classified under this state's merit system law. Within 60 days after the effective date of this resolution, the said board shall set and maintain rates of pay for emergency medical service positions as such positions are respectively classified, at no less than the median of the prevailing rates for such positions in the Southeastern region. The state personnel board is also directed to update rates of pay biennially for emergency medical service positions in the same manner as such rates are originally established in order to attract and retain competent personnel.

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BE IT FURTHER RESOLVED That a copy of this resolution be sent to the state personnel board.

The resolution, H. J. R. 182, was read and referred to the Standing Committee on Rules.

H. 979 RESUMED
UNANIMOUS CONSENT GRANTED

At the request of Mr. Edwards, unanimous consent was granted for his name to be removed as co-sponsor to the bill, H. 979.

AMENDMENT ADOPTED

Mr. Doss offered the following amendment to the bill, H. 979 as amended:

In Section 1 of the bill strike the quotation mark at the end of the last paragraph of Section 89, Title 36, Code of Alabama 1940, as amended, and insert immediately following such last paragraph and as a part of such section the following paragraph:

"D. It is the legislative intent and purpose that the provisions of this section be rigidly enforced by the state highway department, the department of public safety and any other authorized law enforcement officers of the State, any county or city and incorporated towns."

And the amendment was adopted.

Yeas 86; Nays 1.

Yeas:

Messrs.:	Coshatt	Hill	Pruitt
Adams	Cottingham	Hughes	Reid (R)
Adwell	Crawford	Jackson	Reynolds
Agee	Cross	Jones (F)	Roberts
Bank	Crowe	King	St. John
Barkett	Doss	Kinsey	Slate
Barron	Downing	Lutz	Smith (K)
Bassett	Drake	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McDonald	Stewart
Boutwell	Erdreich	McMillan	Stokes
Bowers	Falkenburg	McNair	Stubbs
Brassell	Flippo	Manley	Therrell
Burgess	Gafford	Mathews	Turner
Callahan	Goodwin	May	Waggoner
Carnes	Grainger	Meeks	Waldrop
Carter	Grey (D)	Merrill	Wallace
Casey	Hale	Naramore	Warren
Cauthen	Hardin	Nettles	Weeks
Chesnut	Harris	Owens	Wise
Collins	Headley	Perloff	Wood
Connell	Hearn	Porter	

—86

Nay: Mr. Fite.

—1

BILLS RE-REFERRED

On motion of Mr. Carnes to re-refer, the Speaker re-referred the bills, S. 503 and S. 504, from the Standing Committee on Local Legislation No. 2 to the Standing Committee on Local Legislation No. 1.

H. 979 RESUMED
MOTION TO RE-REFER TABLED

On motion of Mr. McCorquodale, the motion offered by Mr. Grainger that the Speaker re-refer the bill, H. 979 as amended, was tabled.

Yeas 56; Nays 32.

Yeas:

Mr. Speaker	Chesnut	Hill	Reed (T)
Adams	Collins	Hughes	Reid (R)
Adwell	Connell	Jackson	Reynolds
Agee	Cross	Kinsey	Robertson
Bank	Crowe	McBride	St. John
Barkett	Doss	McCluskey	Slate
Bassett	Downing	McCorquodale	Smith (K)
Benton	Easters	McDonald	Smith (P)
Boutwell	Fite	May	Waggoner
Bowers	Flippo	Meeks	Warren
Brassell	Goodwin	Mims	Weeks
Burgess	Grey (D)	Owens	Williams
Callahan	Headley	Parker	Wise
Cauthen	Hearn	Porter	Wood

—56

Nays:

Messrs.:	Erdreich	Lutz	Roberts
Barron	Falkenburg	McNair	Stewart
Carnes	Grainger	Manley	Stokes
Carter	Hale	Mathews	Stubbs
Casey	Hardin	Merrill	Therrell
Cottingham	Jones (P)	Naramore	Turner
Crawford	King	Nettles	Waldrop
Edwards	Lang	Perloff	
Ellis			

—32

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations

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or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill H. B. 308, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 308, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

H. 1187 RE-REFERRED

On motion of Mr. Roberts to re-refer, the Speaker re-referred the bill, H. 1187, from the Standing Committee on Ways and Means to the Standing Committee on Health.

MOTION TO ADJOURN LOST

The motion offered by Mr. Crawford that the House adjourn until 12:00 o'clock noon, Thursday, August 9, 1973, was lost.

Yeas 26; Nays 61.

Yeas:

Messrs.:	Crawford	Goodwin	Perloff
Bank	Culver	Lang	Reynolds
Barkett	Downing	McDonald	St. John
Bassett	Easters	Manley	Smith (K)
Carter	Edwards	Mathews	Therrell
Casey	Erdreich	Merrill	Wynot
Connell	Fite	Naramore	

—26

Nays:

Mr. Speaker	Cottingham	Lutz	Slate
Adams	Cross	McBride	Smith (P)
Adwell	Doss	McCluskey	Snell
Agee	Flippo	McCorquodale	Stewart
Barron	Gafford	McMillan	Stokes
Benton	Grainger	May	Stubbs
Boutwell	Gray (F)	Meeks	Turner
Bowers	Grey (D)	Mims	Turnham
Brassell	Hardin	Nettles	Waggoner
Burgess	Headley	Owens	Waldrop
Callahan	Hill	Parker	Wallace
Carnes	Hughes	Porter	Warren
Cauthen	Jackson	Reid (R)	Weeks
Chesnut	King	Roberts	Williams
Collins	Kinsey	Robertson	Wise
Coshatt			

—61

H. 979 RESUMED

Mr. Turner offered the following substitute to the bill, H. 979 as amended:

**A BILL
TO BE ENTITLED
AN ACT**

To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 89, Title 36, Code of Alabama 1940, as amended, is hereby further amended to read as follows:

"Section 89. Size and weight of vehicles and loads. It shall be unlawful for any person to drive or move on any highway in this state any vehicle or vehicles of a size or weight except in accordance with the following provisions:

"(a) Width. No vehicle shall exceed a total outside width, including any load thereon, of eight feet. No vehicle shall be driven or drawn upon a highway with more than four animals abreast. No passenger vehicle shall carry any load extending beyond the line of the fenders. No vehicle hauling forest products shall have a load exceeding 102 inches in width, provided, however, these limits shall not be permitted on any interstate or defense highways where such limits are prohibited by federal statute.

"(b) Height. No vehicle or semitrailer shall exceed in height thirteen and one half (13½) feet.

"(c) Length. No vehicle shall exceed in length forty (40) feet, except that the length of semitrailer trucks, including any part of the body or load, shall not exceed fifty-five (55) feet. No vehicle operated on a highway shall carry any load extending more than a total of five feet beyond both the front and rear, inclusive, of the vehicle.

"(d) Weight. (1) The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed twenty thousand (20,000) pounds, or such other weight, if any, as may be permitted by federal law to keep the state from losing federal funds.

(2) For the purpose of this section, an axle load shall be defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty (40) inches apart, extending across the full width of the vehicle.

(3) Subject to the limit upon the weight imposed upon the highway through any one axle as set forth herein, the total weight with load imposed upon the highway by all the axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distances between the first and last axle of the vehicle or combination of vehicles, measured longitudinally to the nearest foot as set forth in the following table:

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Distance in feet between first and last axles of vehicle or combination of vehicles.	Maximum load in pounds on all the axles.
4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	34,500
10	36,400
11	38,300
12	40,200
13	42,100
14	44,000
15	45,200
16	46,300
17	47,300
18	48,400
19	49,400
20	50,500
21	51,500
22	52,600
23	53,600
24	54,600
25	55,600
26	56,600
27	57,600
28	58,600
29	59,600
30	60,500
31	61,500
32	62,500
33	63,500
34	64,500
35	65,500
36	66,500
37	67,500
38	68,500
39	69,500
40	70,500
41	71,500
42	72,500
43 and over	73,280

Except as provided by special permits, no vehicle or combination of vehicles exceeding the gross weights specified above shall be permitted to travel on the public highways within the state of Alabama.

The maximum gross weight limit of any vehicle or combination of vehicles, including any tolerance which may be granted hereunder, shall not exceed the maximum gross weights prescribed by the congress of the United States under the provisions of subsection 127, section 1, chapter 1, Title 23, United States Code, or any other federal legislation amendatory thereof, or supplemental thereto, and no vehicles or combinations of vehicles shall be permitted to operate on any portion of the interstate highway system of Alabama except as shall meet the above provisions of United States Code.

(4) For purposes of enforcement of subsection (d) of this section, all scaled weights per axle shall be deemed to have a margin of error of ten percent (10%) of the true axle gross weights.

(5) Dumps trucks, concrete mixing trucks, and fuel oil and gasoline trucks designed and constructed for special type work or use shall meet the load limitations prescribed in subsection (d) of this section.

(6) Provided further, that the governing body of a county, by appropriate resolution, may authorize limitations less than those prescribed herein for vehicles operated upon the county highways of such county.

(7) Provided further, that the state highway department, for cause, shall have the right to post or limit any road or bridge to weights less than those prescribed by this section."

Section 2. All laws and parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law, and after permanent weighing stations provided in the 1971 highway budget act have been constructed and are in full operation.

SUBSTITUTE TABLED

On motion of Mr. Owens, the substitute offered by Mr. Turner to the bill, H. 979 as amended, was tabled.

Yeas 42; Nays 32.

Yeas:

Mr. Speaker	Callahan	Kinsey	Porter
Adams	Chesnut	Lang	Robertson
Adwell	Cross	McBride	St. John
Agee	Crowe	McCorquodale	Slate
Barkett	Downing	McDonald	Smith (K)
Bassett	Gafford	May	Snell
Benton	Grey (D)	Meeks	Warren
Boutwell	Hardin	Mims	Weeks
Bowers	Headley	Owens	Williams
Brassell	Hughes	Parker	Wood
Burgess	Jackson		

—42

Nays:

Messrs.:	Dill	Jones (F)	Naramore
Barron	Doss	King	Nettles
Carnes	Edwards	Lutz	Perloff
Carter	Ellis	McMillan	Stubbs
Casey	Erdreich	McNair	Therrell
Cauthen	Falkenburg	Manley	Turner
Collins	Grainger	Mathews	Waldrop
Cottingham	Harris	Merrill	Wallace
Crawford			

—32

Mr. Grainger offered the following amendment to the bill, H. 979 as amended:

Strike out in its entirety Subsection (d) of Section 89 of Title 36, Code of Alabama 1940, as amended, as said Section 89 is set out in Section 1 of this House Bill 979, and insert in lieu thereof the following:

Subsection (d) "Weight. (1) The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed eighteen thousand (18,000) pounds, or such other weight, if any, as may be permitted by federal law to keep the state from losing federal funds.

(2) For the purpose of this section, an axle load shall be defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty (40) inches apart, extending across the full width of the vehicle.

(3) Subject to the limit upon the weight imposed upon the highway through any one axle as set forth herein, the total weight with load imposed upon the highway by all the axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distances between the first and last axle of the vehicle or combination of vehicles, measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet between first and last axles of vehicle or combination of vehicles.	Maximum load in pounds on all the axles.
4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	34,500
10	36,400
11	38,300
12	40,200
13	42,100
14	44,000
15	45,200
16	46,300
17	47,300
18	48,400
19	49,400
20	50,500
21	51,500
22	52,600
23	53,600
24	54,600
25	55,600
26	56,600
27	57,600
28	58,600
29	59,600
30	60,500
31	61,500
32	62,500

33	63,500
34	64,500
35	65,500
36	66,500
37	67,500
38	68,500
39	69,500
40	70,500
41	71,500
42	72,500
43 and over	73,280

Except as provided by special permits, no vehicle or combination of vehicles exceeding the gross weights specified above shall be permitted to travel on the public highways within the state of Alabama.

The maximum gross weight limit of any vehicle or combination of vehicles, including any tolerance which may be granted hereunder, shall not exceed the maximum gross weights prescribed by the congress of the United States under the provisions of subsection 127, section 1, chapter 1, Title 23, United States Code, or any other federal legislation amendatory thereof, or supplemental thereto, and no vehicles or combinations of vehicles shall be permitted to operate on any portion of the interstate highway system of Alabama except as shall meet the above provisions of United States Code.

(4) For purposes of enforcement of subsection (d) of this section, all scaled weights per axle shall be deemed to have a margin of error of ten percent (10%) of the true axle gross weights.

(5) Dump trucks, concrete mixing trucks, and fuel oil and gasoline trucks designed and constructed for special type work or use shall meet the load limitations prescribed in subsection (d) of this section.

(6) Provided further, that the governing body of a county, by appropriate resolution, may authorize limitations less than those prescribed herein for vehicles operated upon the county highways of such county.

(7) Provided further, that the state highway department, for cause, shall have the right to post or limit any road or bridge to weights less than those prescribed by this section.

AMENDMENT TABLED

On motion of Mr. Owens, the amendment offered by Mr. Grainger to the bill, H. 979 as amended, was tabled.

Yeas 46; Nays 31.

Yeas:

Mr. Speaker	Bowers	Cottingham	Headley
Adams	Brassell	Cross	Hughes
Adwell	Burgess	Crowe	Jackson
Agee	Callahan	Doss	Kinsey
Barkett	Cauthen	Downing	McBride
Bassett	Chesnut	Fite	McCluskey
Benton	Collins	Gafford	McCorquodale
Boutwell	Connell	Grey (D)	May

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Meeks	Parker	Smith (K)	Williams	
Mims	Porter	Warren	Wise	
O'Daniel	Reid (R)	Weeks	Wood	
Owens	Robertson			—46

Nays:

Messrs.:	Erdreich	McDonald	Roberts	
Barron	Falkenburg	McNair	St. John	
Carnes	Grainger	Manley	Slate	
Carter	Hale	Merrill	Stewart	
Casey	Hardin	Naramore	Stubbs	
Crawford	Jones (F)	Nettles	Therrell	
Edwards	King	Perloff	Turner	
Ellis	Lutz	Pruitt	Turnham	—31

And the bill:

H. 979. As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 33.

Yeas:

Messrs.:	Connell	Hill	Owens	
Adams	Coshatt	Hughes	Parker	
Adwell	Cottingham	Jackson	Porter	
Agee	Crawford	Kinsey	Robertson	
Barkett	Cross	Lang	Slate	
Bassett	Crowe	McBride	Smith (K)	
Benton	Downing	McCluskey	Smith (P)	
Boutwell	Drake	McCorquodale	Stokes	
Brassell	Easters	McDonald	Warren	
Burgess	Fite	McMillan	Weeks	
Carter	Flipppo	Manley	Williams	
Cauthen	Gafford	May	Wise	
Chesnut	Grey (D)	Meeks	Wood	
Collins	Headley	Mims		—54

Nays:

Messrs.:	Falkenburg	McNair	Stewart	
Barron	Gafford	Mathews	Stubbs	
Bowers	Grainger	Merrill	Therrell	
Carnes	Hale	Naramore	Turner	
Casey	Hardin	Nettles	Turnham	
Doss	Jones (F)	Perloff	Waldrop	
Edwards	King	Roberts	Wallace	
Ellis	Lang	St. John	Wynot	
Erdreich	Lutz			—33

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more

than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Jones (F), the House concurred in and adopted the Senate amendment to the bill, H. 796, said Senate being as follows:

Amend HB 796, Article I, Section 1.06, by adding the following sentence as the last sentence in the paragraph:

"Such second election shall be conducted, the vote canvassed, the result declared and certificates transmitted as provided herein for the first election."

Further amend HB 796, Article I, Section 1.03, in the first sentence by deleting the words, "Ninety days and not more than one hundred and eighty days", and inserting in lieu thereof the following words; "forty days and not more than sixty days".

Further amend HB 796, Article I, Section 1.07, by the deletion of the entire section and by the substitution of the following therefor:

"1.07. Election of first council and first mayor; term of office—Upon the adoption of such form of government, the probate judge with whom the petition was filed shall call an election to be governed by this act, to be held no later than the first Tuesday in September preceding the expiration of the term of office of the members of the city governing body serving when the mayor-council form of government prescribed in this act is adopted, the expense thereof to be paid by such city, for the election by the qualified voters of such city of nine councilmen, said councilmen to be known as district councilmen, and a mayor. Candidates shall qualify as provided in section 3.02 hereof and shall have the qualifications and eligibility set forth in sections 3.03 and 3.04 hereof. Each candidate shall state in his statement of can-

didacy as provided in section 3.02 hereof whether he seeks the office of councilman at large or district councilman in the latter event shall state for which district he desires to become a candidate. Each voter in the election may cast one vote for a candidate from his district. Any district councilman candidate receiving a majority of the total votes cast from the district in which he is a candidate shall be elected as a district councilman from his district. In the event that nine candidates should fail to receive such a majority then and in that event those candidates for the council receiving a majority shall be elected, and another election shall be held upon the same day of the week two weeks thereafter to be called and held in the same mode and manner and under the same rules and regulations. In the second election there shall be two candidates for each place upon the council to be filled in such second election; and these candidates shall be the ones who received the highest number of votes but who were not elected at the first election. The candidate or candidates for the council receiving the highest number of votes cast in the second election shall be elected, so that in the first and second elections only nine councilmen shall be elected. The councilmen so elected shall take office on the first Monday in October following the election. Each councilman shall hold office for four years, but shall serve until his successor shall have qualified. A councilman may succeed himself in office.

The candidate for mayor receiving the largest number of votes for the office at the first election shall be elected thereto, provided such candidate receives a majority of all votes cast for such office. If at the first election no candidate receives a majority of the votes cast for the office of mayor at such election, then another election shall be held upon the same day of the week two weeks thereafter to be called and held in the same mode and manner and under the same rules and regulations. In the second election there shall be two candidates for the office of mayor; and each candidate shall be the two who receive the highest number of votes for said office at the first election.

Notwithstanding any notice requirements of any other statute or statutes concerning municipal elections, a notice published by the probate judge, with whom the certificate of adoption was filed at any time not less than twenty (20) days prior to said election, shall be deemed sufficient notice of said election. Said notice shall, in substance, state the month, day and year of said election and the purpose for which it is called. Said notice shall further recite that the city has been divided into districts as provided under this act and state where a copy of the district division is on file. Said notice shall be published not less than one time in a newspaper published in the city, and if no newspaper is published in the city, then by posting notices in three public places within the municipality. The election of the first council shall, except as otherwise provided herein as to the call and notice of said election, the date or dates of elections and run off elections, the qualification of the candidates and other matters specifically declared to be to the contrary in this act, to be held and conducted, in the same manner as provided by law in respect to municipal elections in cities of this state which have a population of its size according to the latest Federal Decennial Census for cities not organized under a commission form of government. All municipal officers of the city shall have the same duties and responsibilities as they have with respect to municipal elections. The call of said election by the probate judge shall be sufficient to require any municipal officer or officers to comply with their duties and responsibilities with regard to all municipal elections, including the designation of places of voting, appointment of election, officers and other matters concerning the elections. Said officer or officers shall issue any orders neces-

sary to cause all election requirements to be met. Notwithstanding any provision of any other statute or statutes there shall be no requirement that, in the election of the first council, an elector must vote only in the district of his residence. The districts from which the nine (9) district councilmen shall be elected shall be, as near as practicable, of equal population according to the last Federal Decennial Census. The first election of councilmen under this act shall be from the initial council districts as specifically described and set forth in Appendix One hereof.

Further amend HB 796, Article I, Section 1.08, by the substitution of the word "nine" for the word "thirteen" wherever it appears in the section.

Further amend HB 796, Article III, Section 3.01, by the deletion of the first sentence in the section and by the substitution of the following sentence therefor:

"The council shall consist of nine members who shall be known as district councilmen."

Further amend HB 796, Article III, Section 3.08 by adding the following sentence as the last sentence in the section:

"Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the mayor and neither the Council nor any member thereof shall give orders to any subordinates of the mayor, either publicly or privately."

Further amend HB 796, Article IV, Section 4.01 by the substitution of the word "nine" for the word "thirteen" wherever it appears in the section.

Further amend HB 796, Article IV, Section 4.04, by substituting the words "Twenty Five Thousand Dollars (\$25,000.00)" for the words "Thirty Thousand Dollars (\$30,000.00)."

Further amend HB 796, Article VII, Section 7.01, by the deletion of the entire section and by the substitution of the following therefor:

"7.01 Number established.—There shall be established nine (9) council districts to be designated respectively as district number 1, district number 2, district number 3, district number 4, district number 5, district number 6, district number 7, district number 8, and district number 9, which districts shall have as nearly as is reasonable, the same population. The designation and boundaries of the initial council districts shall be as specifically described and set forth in Appendix One hereof."

Further amend HB 796, Article VII, Section 7.02, by substituting the word "nine" for the word "ten" wherever it appears in the section.

Further amend HB 796, Article IX, Section 9.02 by deleting the entire paragraph and by the substitution of the following therefor:

"9.02. Right of mayor and other officers in council.—The mayor, the heads of all departments, and such other officers of the city as may be designated by the council, shall be entitled to attend meetings of the council, but shall have no vote therein. The mayor shall have the right to take part in the discussion of all matters coming before the council, and the department heads and other officers shall be entitled to take part in all discussions of the council relating to their respective offices, departments or agencies."

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Further amend HB 796 by the deletion of "Appendix One" and by the substitution of the attached "Appendix One" therefor.

APPENDIX ONE
COUNCIL DISTRICTS
COUNCIL DISTRICT 1

Beginning at the point of intersection of US 231 and the city limits in Section 33, Range 18, Township 17, proceed southerly along the centerline of that highway to intersection with Mt. Meigs Road, thence proceed westerly along the centerline of that road to intersection with Ann Street, thence proceed southerly along the centerline of that street to intersection with Thrasher Street, thence proceed easterly along the centerline of that street to the termination of Thrasher Street, thence continue to proceed easterly along the northern boundary of Section 16, Range 18, Township 16, to the northeast corner of said Section 16, thence proceed southerly along the eastern boundary of said Section 16 to intersection with Harrison Road, thence proceed easterly along the centerline of that road to intersection with Perry Hill Road, thence continue to proceed easterly along the northern boundary of the southeastern quarter of Section 15, Range 18, Township 16, to intersection with the city limits, thence proceed easterly along the city limits and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District One.

COUNCIL DISTRICT 2

Beginning at the point of intersection of US 231 and the city limits in Section 33, Range 18, Township 17, proceed southerly along the centerline of that highway to intersection with Mt. Meigs Road, thence proceed westerly along the centerline of that road to intersection with Ann Street, thence proceed southerly along the centerline of that street to intersection with Thrasher Street, thence proceed westerly along the centerline of that street to intersection with Buford Street, thence proceed northwesterly along the centerline of that street to intersection with Mt. Meigs Road, thence proceed southwestwesterly along the centerline of that road to intersection with California Street, thence proceed northerly along the centerline of that street to intersection with Upper Wetumpka Road, thence proceed southwestwesterly along the centerline of that road to the intersection of the eastern boundary of Section 7, Range 18, Township 16, thence proceed northerly along that boundary to the northeast corner of said Section 7, thence continue to proceed northerly along the eastern boundary of Section 6, Range 18, Township 16, to the northeastern corner of said Section 6, thence continue to proceed northerly along the eastern boundary of the southeastern quarter of Section 31, Range 18, Township 17, to the northeastern corner of said quarter section, thence proceed westerly along the northern boundary of said quarter section to the intersection of the city limits, thence proceed northeasterly along the city limits, and continue to proceed along the city limits in such fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Two.

COUNCIL DISTRICT 3

Beginning at the point of intersection of Interstate 65 and the city limits at the Alabama River, proceed southerly along the centerline of that highway to intersection with the Louisville and Nashville Railroad, thence proceed

southwesterly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 14, Range 17, Township 16, thence proceed easterly along that boundary to the northeast corner of said Section 14, thence continue to proceed easterly along the centerline of Clayton Avenue to intersection with Holcombe Street, thence proceed southerly along the centerline of that street to intersection with West Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with Goode Street, thence proceed southerly along the centerline of that street to intersection with Early Avenue, thence proceed easterly to its end and then continue along an extension of said centerline to the centerline of Clanton Avenue and continue along the centerline of that avenue to intersection with McDonough Street, thence proceed northerly along the centerline of that street to the intersection with Finley Avenue, thence proceed westerly along the centerline of that avenue to intersection with Lawrence Street, thence proceed northerly along the centerline of that street to intersection with Noble Street, thence proceed easterly along the centerline of that street to intersection with McDonough Street, thence proceed northerly along the centerline of that street to intersection with East Jeff Davis Avenue, thence proceed easterly along the centerline of that avenue to intersection with South Decatur Street, thence proceed northerly along the centerline of that street to intersection with East South Street, thence proceed easterly along the centerline of that street to intersection with Union Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed easterly along the centerline of that street to intersection with Hall Street, thence proceed northerly along the centerline of that street to intersection with Adams Avenue, thence proceed easterly along the centerline of that avenue to intersection with the Central of Georgia Railroad, thence proceed southeasterly along the centerline of the right of way of that railroad to intersection with Yougene Street, thence proceed easterly along the centerline of that street to intersection with Buford Street. thence proceed northwesterly along the centerline of that street to intersection with Mt. Meigs Road, thence proceed southwesterly along the centerline of that road to intersection with California Street, thence proceed northerly along the centerline of that street to intersection with Upper Wetumpka Road, thence proceed southwesterly along the centerline of that road to intersection with the eastern boundary of Section 7, Range 18, Township 16, thence proceed northerly along that boundary to the northeast corner of said Section 7, thence continue to proceed northerly along the eastern boundary of Section 6, Range 18, Township 16, to the northeastern corner of said Section 6, thence continue to proceed northerly along the eastern boundary of the southeastern quarter of Section 31, Range 18, Township 17, to the northeastern corner of said quarter section, thence proceed westerly along the northern boundary of said quarter section to intersection with the city limits, thence proceed westerly along the city limits, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Three.

COUNCIL DISTRICT 4

Beginning at the point of intersection of Interstate 65 and the city limits at the Alabama River, proceed southerly along the centerline of that highway to intersection with the Louisville and Nashville Railroad, thence proceed southwesterly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 14, Range 17, Township 16, thence proceed easterly along that boundary to the northeast corner of said

Section 14, thence continue to proceed easterly along the centerline of Clayton Avenue to intersection with Interstate 65, thence proceed southerly the centerline of that highway to intersection with West Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with Oak Street, thence proceed southerly along the centerline of that street to intersection with Early Street, thence proceed westerly along the centerline of that street to intersection with Mobile Road, thence proceed southwesterly along that road to intersection with Hayneville Road, thence proceed westerly along the centerline of that road to intersection with the Louisville and Nashville Railroad, thence proceed southerly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 27, Range 17, Township 16, thence proceed westerly along the city limits and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Four.

COUNCIL DISTRICT 5

Beginning at the point of intersection between Clayton Avenue and Interstate 65, proceed southerly along the centerline of Interstate 65 to intersection with West Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with Oak Street, thence proceed southerly along the centerline of that street to intersection with Early Avenue, thence proceed westerly along the centerline of that avenue to intersection with Mobile Road, thence proceed southwesterly along the centerline of that road to intersection with Shreve Street, thence proceed southeasterly along the centerline of that street to intersection with More Street, thence proceed southwesterly along the centerline of that street to intersection with the Atlantic Coast Line Railroad, thence proceed southeasterly along the centerline of the right of way of that railroad to intersection with Edgemont Avenue, thence proceed easterly along the centerline of that avenue to intersection with Goode Street, thence proceed northerly along the centerline of that street to intersection with West Jeff Davis Avenue, thence proceed easterly along the centerline of that avenue to intersection with Holcombe Street, thence proceed northerly along the centerline of that street to intersection with Clayton Avenue, thence proceed westerly along the centerline of that avenue to intersection with Interstate 65, thus arriving at the point of origin. The area included within this boundary shall compose Council District Five.

COUNCIL DISTRICT 6

Beginning at the point of intersection of Court Street and Fleming Road or the city limits, proceed northerly along the centerline of Court Street to intersection with Edgemont Avenue, thence proceed westerly along the centerline of that avenue to intersection with the Atlantic Coast Line Railroad, thence proceed northwesterly along the centerline of the right of way of that railroad to intersection with More Street, thence proceed northeasterly along the centerline of that street to intersection with Shreve Street, thence proceed northwesterly along the centerline of that street to intersection with Mobile Road, thence proceed northeasterly along the centerline of that road to intersection with Hayneville Road, thence proceed easterly along the centerline of that road to intersection with the Louisville and Nashville Railroad, thence proceed southwesterly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 27, Range 17, Township 16, or Simmons Drive, thence proceed southwesterly along the city lim-

its, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Six.

COUNCIL DISTRICT 7

Beginning at the point of intersection of Court Street and Fleming Road or the city limits, proceed northerly along the centerline of Court Street to intersection with Edgemont Avenue, thence proceed westerly along the centerline of that avenue to intersection with Goode Street, thence proceed northerly along the centerline of that street to intersection with Early Avenue, thence proceed easterly to its end and then continue along an extension of said centerline to the centerline of Clanton Avenue and continue along the centerline of that avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Town-Norman Bridge Road, thence proceed southerly along the centerline of that road to intersection with Edgemont Avenue, thence proceed easterly along the centerline of Edgemont Avenue, and continue to proceed easterly along the centerline of Glen Grattan Avenue to intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with South Boulevard, thence proceed westerly along the centerline of that boulevard to intersection with Narrow Lane Road, thence proceed southerly along the centerline of that road to the northern boundary of the southern half of the northwestern quarter of Section 5, Range 18, Township 15, thence proceed westerly along that boundary or the city limits and continue to proceed along the city limits in such a fashion as to arrive at a point of origin. The area included within this boundary shall compose Council District Seven.

COUNCIL DISTRICT 8

Beginning at the point of intersection of the Central of Georgia Railroad and the city limits in Section 35, Range 18, Township 16, proceed northwesterly along the centerline of the right of way of that railroad to intersection with Vaughn Road, thence proceed westerly along the centerline of Carter Hill Road to intersection with Gail Street, thence proceed northerly along the centerline of that street to intersection with Jackson Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed westerly along the centerline of that street to intersection with Union Street, thence proceed southerly along the centerline of that street to intersection with East South Street, thence proceed westerly along the centerline of that street to intersection with South Decatur Street, thence proceed southerly along the centerline of that street to intersection with East Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Noble Street, thence proceed westerly along the centerline of that street to intersection with Lawrence Street, thence proceed southerly along the centerline of that street to intersection with Finley Avenue, thence proceed easterly along the centerline of that avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Clanton Avenue, thence proceed westerly along the centerline of that avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Township 16, thence proceed easterly along

that boundary to the intersection with Norman Bridge Road, thence proceed southerly along the centerline of that road to intersection with Edgemont Avenue thence proceed easterly along the centerline of Edgemont Avenue and continue to proceed easterly along the centerline of Glen Grattan Avenue to the intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with South Boulevard, thence proceed westerly along the centerline of that Boulevard to intersection with Narrow Lane Road, thence proceed southerly along the centerline of that road to intersection with the city limits at the northern boundary of the southeast quarter of Section 32, Range 18, Township 16, thence proceed easterly along the city limits, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Eight.

COUNCIL DISTRICT 9

Beginning at the point of intersection of the Central of Georgia Railroad and the city limits in Section 35, Range 18, Township 16, proceed northwesterly along the centerline of the right of way of that railroad to intersection with Vaughn Road, thence proceed westerly along the centerline of Carter Hill Road to intersection with Gail Street, thence proceed northerly along the centerline of that street to intersection with Jackson Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed easterly along the centerline of that street to intersection with Hall Street, thence proceed northerly along the centerline of that street to intersection with Adams Avenue, thence proceed easterly along the centerline of that avenue to intersection with the Central of Georgia Railroad, thence proceed southeasterly along the centerline of the right of way of that railroad to intersection with Yougene Street, thence proceed easterly along the centerline of that street, and continue to proceed easterly along the centerline of Thrasher Street, and continue to proceed easterly along the northern boundary of Section 16, Range 18, Township 16, to the northeast corner of the said Section 16, thence proceed southerly along the eastern boundary of said Section 16 to intersection with Harrison Road, thence proceed easterly along the centerline of that road to intersection with Perry Hill Road, thence continue to proceed easterly along the northern boundary of the southeastern quarter of Section 15, Range 18, Township 16, to intersection with the city limits, thence proceed southerly along the city limits, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Nine.

Amend HB 796. "Appendix One" by the deletion of "Council District 8", description in its entirety and by the substitution of the following therefor:

COUNCIL DISTRICT 8

"Beginning at the intersection of the Central of Georgia R.R. and the city limits in Range 18, Township 16, Section 35, proceed northwesterly along the centerline of the right of way of that railroad to intersection with Carter Hill Road, thence proceed westerly along the centerline of that road to intersection with Gail Street, thence proceed northerly along the centerline of that street to intersection with Jackson Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed westerly along the centerline of that street to intersection with Union Street, thence proceed southerly along the centerline of that street to intersection with South Street, thence proceed westerly along the centerline of that street to in-

tersection with South Decatur Street, thence proceed southerly along the centerline of that street to intersection with East Jeff Davis Avenue, thence proceed westerly along the centerline of that Avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Noble Street, thence proceed westerly along the centerline of that street to intersection with Lawrence Street, thence proceed southerly along the centerline of that street to intersection with FGINLEY Avenue, hence proceed easterly along the centerline of that Avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Clanton Avenue, thence proceed westerly along the centerline of that Avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that Avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Township 16, thence proceed easterly along that boundary to intersection with Normanbridge Road, thence proceed southerly along the centerline of that road to intersection with Fairview Avenue, thence proceed easterly along the centerline of that road to intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with Narrow Lane Road, thence proceed southerly along the centerline of that road to intersection with the city limits, and continue to proceed southerly along the city limits in such a fashion as to arrive at the point of origin. The area contained within this boundary shall comprise Council District 8."

Amend HB 796, "Appendix One" by the deletion of "Council district 7" description in its entirety and by the substitution of the following therefor:

COUNCIL DISTRICT 7

"Beginning at the point of intersection of the city limits and Court Street, proceed ~~northerly~~ along the centerline of that street to intersection with Edgemont Avenue, thence proceed westerly along the centerline of that Avenue to intersection with Goode Street, thence proceed northerly along the centerline of that street to intersection with Early Avenue, thence proceed easterly to its end and then continue along an extension of said centerline to the centerline of Clanton Avenue and continue along the centerline of that Avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that Avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Township 16, thence proceed easterly along that boundary to intersection with Norman Bridge Road, thence proceed southerly along the centerline of that road to intersection with Fairview Avenue, thence proceed easterly along the centerline of that road to intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with Narrow Land Road, thence proceed southerly along the centerline of that road to intersection with the city limits, thence proceed southerly along the city limits boundary, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area contained within this boundary shall comprise Council District 7."

Amend H. B. 796, Article III, Section 3.15 by deleting in the eighth line the word "present" and substituting therefor, the word "elected."

Amend HB 796, Article III, Section 3.02 by the deletion of the entire section and by the substitution of the following therefor:

"3.02. Statement of candidacy.—Any person desiring to become a candidate in any election for the office of councilman may become such candidate by filing in the office of the judge of probate of the county in which such city is situated, a statement in writing of such candidacy and an affidavit taken and certified by such judge of probate or by a notary public that such person is duly qualified to hold the office for which he desires to be a candidate. Such statement shall be filed at least 21 days before the day set for such election and shall be in substantially the following form: 'State of Alabama, _____ County. I, the undersigned, being first duly sworn, depose and say that I am a citizen of the City of _____, in said State and County, and reside at _____ in said City of _____, that I desire to become a candidate for the office of district councilman for the _____ district, in said city at the election for said office to be held on the _____ day of October next and that I am duly qualified to hold said office if elected thereto and I hereby request that my name be printed upon the official ballot at said election. Signed _____; Subscribed and sworn to before me by said _____ on this _____ day of _____, 19____, and filed in this office for record on said day. _____, Judge of Probate.' Said statement shall be accompanied by a qualifying fee in the amount of \$150.00, which fee shall be paid over by the judge of probate to the general fund of the city. At every such election all ballots to be used by voters shall be printed and prepared by the election commission or other body or official charged by law with the duty of conducting elections and at the expense of said city, and shall contain the names of all candidates directly underneath the words 'For members of the council.' No name shall appear upon said ballot as a candidate for election except the names of such persons as have become candidates according to provisions as above set forth; No ballot shall be used at any such election except the official ballot prepared by the election commission or other body or official charged by law with the duty of conducting elections, except that the names of candidates may be suitably placed on voting machines if such machines are used to conduct such election. No primary election shall be held for the nomination of candidates for the office of councilman and candidates shall be nominated only as hereinabove provided."

Amend H. B. 796, Article I, Section 1.07 by the deletion of the following paragraph:

"Each candidate shall state in his statement of candidacy as provided in section 3.02 hereof whether he seeks the office of councilman at large or district councilman in the latter event shall state for which district he desires to become a candidate."

Amend HB 796, Article I, Section 1.03 by the deletion of the entire section and by the substitution of the following therefor:

1.03. Call of election by governing body.—The governing body of the city shall immediately upon receipt of such certificate from the probate judge, by order, submit the question of the adoption of the mayor-council form of government for such city, under this act, at a special election to be held at a time specified in such proclamation, not less than forty days and not more than sixty days after the receipt of said certificate from said probate judge, unless a general or regular election is to be held within 90 days after receipt of such certificate, in which event the special election herein provided for shall be held at the same time as such general or regular election. Should the election not be called by orders of the governing body of the city within 10 days after receipt of such certificate, the judge of probate shall call such elec-

tion by order at a time specified therein but not less than 40 days and not more than 60 days after the receipt by the governing body of the said certificate of the probate judge.

Amend HB 796, Article I, Section 1.02, by the deletion of the entire section and by the substitution of the following therefor:

1.02. Petition for election.—The filing of a petition signed by ten percent (10%) or more of the qualified electors of such city, asking that the proposition of the adoption of the mayor-council form of government for such city be submitted to the qualified voters thereof, with the judge of probate of the county in which such city is located, shall mandatorily require an election to be held as herein provided. Whenever such a petition purporting to be signed by at least ten percent (10%) of the qualified voters of such city shall be presented to such judge of probate, he shall examine such petition and determine whether or not the same is signed by at least ten percent (10%) of the qualified voters of such city, and if such petition is signed by the requisite number of voters to require such an election, he shall within fifteen days from the receipt of such petition certify such fact to the governing body of the city for which such election is so petitioned, and the certificate of the judge of probate as to the sufficiency of said petition shall be final.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Pruitt
Adams	Downing	Jones (F)	Reynolds
Agee	Edwards	King	Roberts
Barkett	Ellis	Kinsey	Robertson
Bassett	Erdreich	McBride	St. John
Benton	Fite	McCluskey	Slate
Boles	Flippo	McDonald	Smith (F)
Brassell	Gafford	McMillan	Stokes
Carnes	Goodwin	McNair	Stubbs
Carter	Grainger	Manley	Therrell
Casey	Grey (D)	Mathews	Turner
Cauthen	Hale	May	Turnham
Connell	Hardin	Meeks	Waldrop
Cottingham	Harris	Nettles	Weeks
Crawford	Headley	Owens	Williams
Cross	Hughes	Porter	Wynot
Crowe			

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And the bill, H. 796 as thus amended, was again read at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Fite
Adams	Carnes	Cross	Flippo
Adwell	Carter	Crowe	Gafford
Agee	Casey	Culver	Goodwin
Barkett	Cauthen	Doss	Grainger
Bassett	Chesnut	Downing	Grey (D)
Benton	Collins	Edwards	Hale
Boles	Connell	Ellis	Hardin
Boutwell	Cottingham	Erdreich	Harris

REGULAR SESSION
27th Day

2727

Headley	McCluskey	Owens	Stubbs
Hill	McDonald	Porter	Therrell
Hughes	McMillan	Pruitt	Turner
Jackson	McNair	Reynolds	Turnham
Jones (F)	Manley	Roberts	Waldrop
King	Mathews	Robertson	Warren
Kinsey	May	St. John	Weeks
Lang	Meeks	Smith (P)	Williams
Lutz	Nettles	Stewart	Wood
McBride	O'Daniel	Stokes	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1199. Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

Also:

H. 650. To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alteration and extension.

Also:

H. 818. To validate the attempted incorporation of the inhabitants of any territory lying within a county having a population of 600,000 or more as a municipal corporation, where any portion of said territory, or its perimeter, lies within three miles of an existing city or town, and the Judge of Probate of said county has made an order that the inhabitants of said territory are incorporated as a town or city; provided however, that this act shall not apply to the incorporation of any municipality heretofore held to be invalid by a court of competent jurisdiction.

Also:

H. 822. To amend Sections 1, 6, 7, and 9 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city and for the widows and dependents of such officers and employees, to provide for a custodian of such fund and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose."

Also:

H. 854. To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal

decennial census, for serving summons on witnesses; and repealing conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1200. Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

Also:

H. 1201. To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

Also:

H. 1210. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to amend Section 5 of Act No. 242, H. 310, Third Special Session 1971, (Acts 1971, p. 4511) forbidding the judge of probate from remitting certain funds to the State Highway Department, so as to provide for the removal of expiration date of said act.

Also:

H. 1256. To alter and rearrange the boundary lines of the city of Atmore, Alabama, so as to include within the corporate limits of said city all territories now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous to said city.

Also:

H. 1271. To allow branch banking under described conditions in Marshall County, Alabama.

Also:

H. 1293. To alter and rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Also:

H. 1323. Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1324. Relating to Butler County; providing the members of the Butler County Commission with an additional per diem expense allowance.

Also:

H. 1327. To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

Also:

H. 1366. Relating to Pickens County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1368. To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

Also:

H. 1386. To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, p. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1209. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Also:

H. 1197. Relating to Calhoun County; to provide further for the salary of certain officials of said county.

Also:

H. 1144. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants, according to the most recent federal decennial census; providing that any person may use on any boat any motor up to six (6) horsepower on any state-owned lake within said counties.

Also:

H. 1244. To amend the Title and Sections 7, 11, 14 and 22 of Act No. 780 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, governing airport authorities incorporated in counties having a

population of not less than 110,000 nor more than 165,000 according to the last or any subsequent federal decennial census, which sections pertain, respectively, to powers of such authorities, bonds of such authorities, use of proceeds from the sale thereof and other matters so as to clarify and grant powers regarding the issuance of bonds and notes and regarding industrial development and other business projects undertaken by such authorities and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act, as amended, regardless of subsequent changes in the population of the county in which such authority was incorporated.

MCDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1472. Relating to all counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; and providing that any Circuit Judge, who maintains his principal office at the courthouse, therein may appoint one additional Bailiff to serve the circuit court; to prescribe the pay for the services of said Bailiff and the manner thereof.

Also:

H. 1473. To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

Also:

H. 73. Relating to the method of giving notice of the requirement of attendance of jury service in the 15th Judicial Circuit of Alabama.

Also:

H. 74. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to authorize the Board of Registrars to meet five days each week.

Also:

H. 476. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Also:

H. 702. To authorize the Clay County governing body to provide protection against forest fires within the county and to assess the whole or a part

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of the costs thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 949. To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

Also:

H. 980. To further amend Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), as amended, which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Also:

H. 981. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Also:

H. 1140. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Also:

H. 1141. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerks hire allowance for the Probate Judge of such counties.

Also:

H. 1142. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1387. To authorize the governing body of any county with populations of not less than 60,000 nor more than 65,000, according to the most re-

cent federal decennial census, to provide for the re-registration of electors of such counties; to provide procedures for such re-registration.

Also:

H. 1388. Relating to counties having populations of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census, authorizing the governing bodies of such counties to provide an allowance of not less than \$600.00 nor more than \$700.00 per month for a computer operator serving all county offices in such counties, to be paid from the general funds of such counties.

Also:

H. 1396. To authorize establishment of branch banks in the City of Pell City in St. Clair County.

Also:

H. 1399. To amend Section 9 of Act no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

Also:

H. 1402. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Also:

H. 1407. Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Also:

H. 1415. To authorize the governing body of all counties having a population of not less than 12,000 nor more than 12,800 according to the last or any subsequent federal decennial census, to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1416. Amending Section 1 of Act No. 121, H. 22, Special Session 1971 (Acts 1971, p. 204), fixing the fee for pistol permits in counties having a population of not less than 10,660 nor more than 10,900, so as to provide for the distribution of fees collected by issuance of such permits.

Also:

H. 1417. To provide for the compensation of circuit court bailiffs in all counties having a population of not less than 10,660 nor more than 10,900 according to the last or any subsequent federal decennial census.

Also:

H. 1418. To provide that the county commissions of all counties having populations of not less than 10,660 or no more than 10,900, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

Also:

H. 1419. To authorize the sheriff of counties having a population of not less than 10,660 nor more than 10,900 to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Also:

H. 1420. To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Also:

H. 1471. Relating to all counties having a population of not less than 36,500, nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Judge of the Circuit Court; providing a limitation on amounts so paid; and providing further for such payments.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1012. Relating to criminal procedure in the Thirty-seventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Also:

H. 1013. To apply only in the circuit court of the Thirty-seventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Also:

H. 1015. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Also:

H. 1029. Relating to counties having populations of not less than 95,000, nor more than 115,000, according to the most recent federal decennial census; to provide a monthly expense allowance for the bailiff in the county court of such counties; and providing a retroactive effect therefor.

Also:

H. 1030. To amend Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), as amended, which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classed on a population basis, so as to provide further for the compensation of members of such board; and providing a retroactive effect therefor.

Also:

H. 1036. To provide for the transfer of funds from the Public Highway and Traffic Funds to the Gasoline Funds by the governing body of counties having a population of not less than 22,000 and not more than 22,500 according to the most recent federal decennial census.

Also:

H. 1050. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for the members of the county board of registrars.

Also:

H. 1051. Relating to counties having a population of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census; to provide for the compensation and certain expenses of the register of the circuit court in any such county, payable from county funds; and providing for certain other duties of such register.

Also:

H. 1052. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for members of the county board of equalization.

Also:

H. 1088. To alter, redefine and reduce the corporate limits of the city of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

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Also:

H. 1089. To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

Also:

H. 1090. To amend Section 11 of Act No. 1043, H. 1901, Regular Session 1971, (Acts 1971, p. 1851), providing for a liquor tax in counties of a certain population, so as to provide that all revenue collected under this act shall be deposited in the county General Fund; to make this amendment retroactive.

Also:

H. 1180. Relating to Pickens County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 522. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to provide that patients at institutions for the insane and mentally retarded and patients at veterans' hospitals shall have free use of all public fishing lakes and public recreational facilities in such counties.

Also:

H. 437. To provide for a secretarial assistant for the district attorney of the 26th Judicial Circuit, establishing the compensation for said position and making the provisions of this Act retroactive to July 1, 1972.

Also:

H. 670. To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

H. 810. To provide an additional expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama.

Also:

H. 889. Relating to Conecuh County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 921. Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Also:

H. 922. To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

Also:

H. 923. To authorize the sheriff of Autauga County to collect and retain the fees and allowance prescribed by law for feeding prisoners, to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 957. To further amend Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), as amended, which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Also:

H. 1003. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the judge of intermediate courts in such counties.

Also:

H. 1008. To allow prospective jurors to be excused without the presence of the defendant in criminal cases in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1009. Relating to the method of giving notice of the requirement of attendance of jury service in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1010. To regulate further the excusing of persons from jury service in the Thirty-seventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 1011. To abolish the drawing of special venires in capital cases in the Thirty-seventh Judicial Circuit of Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 65. RELATIVE TO THE PROPOSED CROOKED CREEK HYDROELECTRIC PROJECT.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 722. To regulate further the compensation of registrars in Houston County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Connell, the House concurred in and adopted the Senate amendment to the bill, H. 722, said Senate amendment being as follows:

Amend H. B. 722 by deleting Section 2 and substituting in lieu thereof the following:

"Section 2. Six days annual sick leave to be paid only by Houston County at a rate of \$10.00 per day shall be paid each member of the Board of Registrars."

Yeas 67; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee
Barkett
Barron
Boles

Boutwell
Brassell
Burgess
Carnes
Carter
Casey

Cauthen
Chesnut
Collins
Connell
Cottingham
Crawford

Cross
Crowe
Doss
Downing
Drake
Easters

Ellis	Headley	Manley	Stewart
Erdreich	Hill	Mims	Stokes
Fite	Hughes	Naramore	Stubbs
Flippo	Jackson	Nettles	Therrell
Gafford	Jones (F)	O'Daniel	Turner
Goodwin	King	Owens	Turnham
Grainger	Lang	Porter	Warren
Gray (F)	Lutz	Pruitt	Weeks
Grey (D)	McBride	Reed (T)	Williams
Hardin	McMillan	Reynolds	Wynot
Harris	McNair	St. John	

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And the bill, H. 722 as thus amended, was read again at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Pruitt
Adams	Culver	Jackson	Reed (T)
Agee	Doss	Jones (F)	Reynolds
Barkett	Downing	King	St. John
Barron	Drake	Lang	Slate
Boles	Easters	Lutz	Stewart
Boutwell	Ellis	McBride	Stokes
Brassell	Erdreich	McMillan	Stubbs
Burgess	Flippo	McNair	Therrell
Carnes	Gafford	Manley	Turner
Carter	Goodwin	May	Turnham
Casey	Grainger	Meeks	Waldrop
Cauthen	Gray (F)	Mims	Warren
Chesnut	Grey (D)	Naramore	Weeks
Connell	Hardin	Nettles	Williams
Cottingham	Harris	O'Daniel	Wood
Crawford	Headley	Owens	Wynot
Cross	Hill	Porter	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1066. To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Harris, the House concurred in and adopted the Senate amendment to the bill, H. 1066, said Senate amendment being as follows:

In Section 8, strike out in its entirety the paragraph numbered (7), which was inserted by amendment.

In Section 6, (5) (a) strike out the last sentence of such paragraph, and insert in lieu thereof the following:

If such member or former member dies prior to his normal retirement date the survivor allowance shall be deferred to commence on said date and shall be payable to his spouse or children, as the case may be, who are eligible for such allowance on said date.

In Section 6 (1) (a) immediately after item ii insert the following:

(iii) In the case of a new member, attainment of age sixty and completion of twenty years of creditable service, or attainment of age seventy if earlier.

In Section 6 (2) strike out in its entirety paragraph (a) and insert in lieu thereof the following:

(a) A member who has not reached his normal retirement date but who has completed fifteen years of creditable service and has attained age fifty-five in the case of a new member or in the case of a prior member in Class I, or age fifty in the case of a prior member in Class II, may be retired from service on an early retirement allowance not less than thirty nor more than ninety days next following receipt by the Commission of written application therefor made by the member.

Strike out in its entirety Section 11, and insert in lieu thereof the following:

Section 11. Protection Against Fraud

Whoever with intent to deceive shall make any claim, statements, representations or reports required under this Act which are untrue, or shall falsify or permit to be falsified any record or records of this Retirement System shall be fined not to exceed one hundred dollars, or imprisoned in the Montgomery County Jail not to exceed six months, or both.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	O'Daniel
Agee	Crowe	Jones (F)	Owens
Barron	Downing	King	Porter
Bassett	Drake	Kinsey	Pruitt
Benton	Easters	Lutz	Reynolds
Boles	Edwards	McBride	Stubbs
Boutwell	Ellis	McMillan	Therrell
Brassell	Erdreich	McNair	Turnham
Burgess	Gafford	Manley	Waldrop
Carnes	Goodwin	May	Weeks
Casey	Grey (D)	Mims	Williams
Chesnut	Harris	Naramore	Wood
Connell	Headley	Nettles	Wynot
Crawford	Hughes		

—54

And the bill, H. 1066 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hill	Nettles
Adams	Crawford	Hughes	O'Daniel
Agee	Cross	Jackson	Owens
Barkett	Crowe	Jones (F)	Porter
Barron	Downing	King	Pruitt
Bassett	Drake	Kinsey	Reynolds
Benton	Easters	Lutz	St. John
Boles	Edwards	McBride	Slate
Boutwell	Ellis	McDonald	Therrell
Brassell	Erdreich	McMillan	Turner
Burgess	Flippo	McNair	Turnham
Carnes	Gafford	Manley	Waldrop
Carter	Goodwin	May	Warren
Casey	Grainger	Meeks	Williams
Cauthen	Gray (F)	Mims	Wood
Chesnut	Harris	Naramore	Wynot
Connell	Headley		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for expense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Harris, the House concurred in and adopted the Senate amendment to the bill, H. 1470, said Senate amendment being as follows:

Amend H. B. 1470 Section 2 by adding at the end thereof the following sentence:

"The county governing body may at its discretion begin payment, whether retroactive or not, and to any official included in the provisions of this Act at any time after the passage of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2901)."

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Benton	Cauthen	Drake
Adams	Boles	Chesnut	Easters
Adwell	Boutwell	Connell	Edwards
Agee	Brassell	Cottingham	Ellis
Barkett	Carnes	Crawford	Fite
Barron	Carter	Cross	Flippo
Bassett	Casey	Downing	Gafford

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Goodwin	Kinsey	Mims	Smith (P)
Grainger	Lang	Naramore	Stubbs
Gray (F)	Lutz	Nettles	Therrell
Grey (D)	McBride	O'Daniel	Turner
Harris	McDonald	Owens	Turnham
Headley	McMillan	Porter	Waldrop
Hill	McNair	Pruitt	Warren
Hughes	Manley	Reynolds	Weeks
Jackson	Mathews	Roberts	Williams
Jones (F)	May	St. John	Wood
King	Meeks	Slate	Wynot

—72

And the bill, H. 1470 as thus amended, was again read at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Harris	O'Daniel
Adams	Crawford	Hill	Owens
Adwell	Cross	Hughes	Porter
Agee	Crowe	Jackson	Pruitt
Barkett	Doss	Jones (F)	Reynolds
Barron	Downing	King	Roberts
Boles	Drake	Lang	St. John
Boutwell	Easters	Lutz	Smith (P)
Bowers	Edwards	McBride	Stubbs
Brassell	Ellis	McDonald	Therrell
Burgess	Fite	McMillan	Turner
Carnes	Flippo	Manley	Turnham
Carter	Gafford	Mathews	Waldrop
Casey	Goodwin	May	Weeks
Cauthen	Grainger	Mims	Williams
Chesnut	Gray (F)	Naramore	Wood
Connell	Grey (D)	Nettles	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Dominick:

S. J. R. 46. CREATING AN INFORMATION OFFICE IN THE LEGISLATURE

WHEREAS, it is appropriate and advisable that the citizens of the State be knowledgeable concerning legislative matters and that they have easily available to them means of obtaining information with respect to the content and status of bills introduced in each House of the Legislature; and

WHEREAS, it is incumbent upon the Legislature of Alabama to demonstrate its visibility to the electorate and to keep the general public abreast of the status of pending Legislation; and

WHEREAS, a closer relationship between legislators and the citizens they represent would foster and further advance confidence, reliance and trust in this State's legislative body, and to the ultimate end that Alabama government may function more effectively; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an Information Office for the purpose of supplying to any person in this State, information on request with respect to legislative matters, including the content and status of bills introduced in either House of the Legislature during any special or regular session of the Legislature. Such office shall operate only while the Legislature is in session and shall be equipped with a one-way WATS (Wide Area Telephone Service) line, which shall be made available, free of charge to anyone in Alabama desiring to call the Capitol for such information.

Such office shall be under the management and control of the Legislative Reference Service and shall be provided with adequate space, equipment, supplies and telephones and shall be staffed by no more than two clerical employees. All expenses of the office shall be paid out of any available funds appropriated for the use of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 46, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 669. To amend Section 2 of Act No. 63 passed at the Extraordinary Session of the Legislature of Alabama of 1971 and approved April 27, 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks and money orders that have been outstanding for more than 15 years from the date of issuance; to amend Section 11 of said Act to provide for the omission from the report required by Section 11 of certain information as to traveler's checks and money orders; to amend Section 12 of said Act so as to exempt sums payable on traveler's checks and money orders from the provisions of Section 12; and to amend Section 13 of said Act in the case of sums payable on traveler's checks or money orders presumed abandoned, to provide for the payment of such sums within 20 days after the filing of the report required by Section 11.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker
Adams
Agee
Barkett

Barron
Bassett
Benton
Boles

Boutwell
Brassell
Carnes
Carter

Casey
Chesnut
Collins
Connell

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Cottingham	Grainger	McCorquodale	Reynolds
Crawford	Gray (F)	McDonald	Roberts
Cross	Grey (D)	McMillan	St. John
Crowe	Harris	McNair	Slate
Doss	Headley	Manley	Stokes
Downing	Hill	Meeks	Stubbs
Drake	Hughes	Merrill	Therrell
Easters	Jackson	Mims	Turnham
Edwards	Jones (F)	Naramore	Warren
Ellis	King	Nettles	Weeks
Erdreich	Kinsey	O'Daniel	Williams
Fite	Lang	Owens	Wise
Flippo	Lutz	Porter	Wood
Gafford	McBride	Pruitt	Wynot
Goodwin	McCluskey	Reid (R)	—75
Nay: Mr. Smith (P).			
And the bill:			

H. 414. To authorize the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Director of Finance to become a public corporation to be known as Alabama Legislative Building Authority; to provide the procedure for incorporation, to designate the members, directors, and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration, and equipment of public office buildings and the acquisition of sites therefor, the power of eminent domain, and the power to sell and issue not exceeding \$12,000,000 principal amount of bonds for such purposes; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment of buildings by the Authority to provide for a standing legislative committee to approve the selection of architects or engineers and to approve the plans and specifications of buildings constructed by the Authority; to authorize the conveyance to said Authority of lands owned by the State; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by the Legislative Branch of the State of Alabama and to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and to private parties, of space for occupancy in said building or buildings; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; and to provide for dissolution of said Au-

thority and conveyance of its assets and properties to the State upon payment of said bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Perloff
Adams	Doss	Jones (F)	Porter
Adwell	Downing	King	Reed (T)
Agee	Drake	Kinsey	Reid (R)
Barkett	Easters	Lang	Reynolds
Barron	Edwards	McBride	Roberts
Bassett	Ellis	McCluskey	St. John
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Flippo	McDonald	Stewart
Boutwell	Gafford	McMillan	Stokes
Brassell	Goodwin	McNair	Stubbs
Burgess	Grainger	Manley	Therrell
Carnes	Gray (F)	May	Turner
Carter	Grey (D)	Meeks	Waldrop
Casey	Hale	Merrill	Wallace
Cauthen	Hardin	Mims	Warren
Chesnut	Harris	Naramore	Weeks
Connell	Headley	Nettles	Williams
Cottingham	Hill	O'Daniel	Wise
Crawford	Hughes	Owens	Wood
Cross			

—81

And the bill:

H. 1004. To authorize County governing bodies to enter into contracts with Federal Government.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Reynolds
Adams	Downing	Kinsey	Robertson
Agee	Drake	Lang	St. John
Barkett	Edwards	Lutz	Smith (P)
Barron	Ellis	McBride	Stewart
Bassett	Fite	McCluskey	Stokes
Benton	Flippo	McMillan	Stubbs
Boutwell	Gafford	McNair	Turner
Brassell	Goodwin	Manley	Turnham
Burgess	Grainger	May	Waldrop
Carnes	Gray (F)	Meeks	Wallace
Carter	Grey (D)	Merrill	Warren
Casey	Hale	Mims	Weeks
Chesnut	Harris	Naramore	Williams
Collins	Headley	Nettles	Wise
Connell	Hill	O'Daniel	Wood
Cottingham	Hughes	Owens	Wynot
Crawford	Jackson	Porter	

—71

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2745

And the bill:

H. 991. (With Amendments): To provide for a retirement system for the sheriffs of the various counties within the state.

Was taken up.

The question was then on the adoption of the amendment # 1 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

AMEND SECTION 1 TO READ AS FOLLOWS:

Section 1. Any Sheriff or any person who has served as Sheriff of any county of this state and who has had sixteen (16) years of service as a law enforcement officer, eight (8) of which have been as a Sheriff, and who has reached the age of fifty-five (55) years shall be eligible to participate and receive benefits under the Sheriffs' Retirement System as hereinafter provided.

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Roberts
Adams	Cross	King	Robertson
Agee	Crowe	Kinsey	Slate
Barron	Downing	Lutz	Smith (P)
Bassett	Edwards	McBride	Stewart
Benton	Ellis	McCorquodale	Stokes
Boutwell	Fite	McMillan	Stubbs
Brassell	Flippo	McNair	Therrell
Burgess	Goodwin	Manley	Turner
Carnes	Grainger	May	Waldrop
Carter	Gray (F)	Meeks	Wallace
Cauthen	Grey (D)	Merrill	Warren
Chesnut	Harris	Mims	Weeks
Collins	Headley	O'Daniel	Wise
Connell	Hill	Owens	Wood
Coshatt	Hughes	Porter	Wynot
Cottingham	Jackson	Reynolds	

—67

The question was then on the adoption of the amendment # 2 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

After the last sentence in Section 3, add the following:

"Any Sheriff holding office on the date of passage of this Act, who is a member of, or eligible to be a member of any other public retirement plan, shall have sixty (60) days from the date of this Act to make an irrevocable choice of the two plans. Any Sheriff taking office subsequent to the signing of this Act shall have sixty (60) days after taking office to make an irrevocable choice of the two plans."

Delete Section 5.

Renumber Section 6 as Section 5.

Renumber Section 7 as Section 6.

Renumber Section 8 as Section 7.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Porter
Adams	Downing	King	Pruitt
Agee	Drake	Kinsey	Reynolds
Barron	Edwards	Lang	Roberts
Bassett	Ellis	Lutz	Robertson
Benton	Fite	McBride	St. John
Boutwell	Flippo	McCluskey	Slate
Brassell	Gafford	McCorquodale	Smith (P)
Burgess	Goodwin	McMillan	Stewart
Carnes	Grainger	McNair	Stokes
Carter	Gray (F)	Manley	Therrell
Cauthen	Grey (D)	May	Turner
Chesnut	Hale	Meeks	Wallace
Collins	Harris	Merrill	Warren
Connell	Headley	Mims	Weeks
Coshatt	Hill	Naramore	Wise
Cottingham	Hughes	O'Daniel	Wynot
Cross	Jackson	Owens	

—71

And the bill, H. 991 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 4.

Yeas:

Mr. Speaker	Cross	Jones (F)	Parker
Adams	Crowe	King	Porter
Agee	Downing	Kinsey	Pruitt
Barron	Drake	Lang	Reynolds
Bassett	Edwards	Lutz	Roberts
Benton	Ellis	McBride	Robertson
Boutwell	Fite	McCorquodale	St. John
Brassell	Gafford	McDonald	Smith (P)
Burgess	Goodwin	McMillan	Stewart
Carnes	Grainger	Manley	Stokes
Carter	Gray (F)	Mathews	Stubbs
Casey	Grey (D)	May	Therrell
Cauthen	Hale	Meeks	Turner
Chesnut	Hardin	Merrill	Wallace
Collins	Harris	Mims	Warren
Connell	Headley	Naramore	Weeks
Coshatt	Hughes	Nettles	Wise
Cottingham	Jackson	O'Daniel	Wynot

—72

Nays:

Messrs.:	Flippo	Hill	Slate
Crawford			

—4

And the bill:

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Was taken up.

Mr. Smith (P) offered the following amendment to the bill: Amend H. B. 1114 by inserting a new sentence at the end of Section one within the quotation marks as follows:

In this Act, "general welfare purposes" means (1) administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17(6) and 17(14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Connell	Hill	Reed (T)
Adams	Coshatt	Hughes	Reynolds
Adwell	Cottingham	Jones (F)	Robertson
Agee	Crawford	King	St. John
Barkett	Cross	Kinsey	Slate
Barron	Crowe	Lang	Smith (K)
Bassett	Drake	Lutz	Smith (P)
Benton	Edwards	McBride	Snell
Boles	Ellis	McCluskey	Stewart
Boutwell	Fite	McDonald	Stubbs
Bowers	Flippo	McNair	Turner
Brassell	Goodwin	Manley	Turnham
Burgess	Grainger	May	Wallace
Carnes	Gray (F)	Mims	Warren
Carter	Grey (D)	O'Daniel	Weeks
Casey	Hale	Owens	Williams
Cauthen	Hardin	Parker	Wise
Chesnut	Harris	Porter	Wood
Collins	Headley	Pruitt	Wynot

—76

And the bill, H. 1114 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Grey (D)
Adams	Carnes	Crowe	Hale
Adwell	Carter	Drake	Hardin
Agee	Casey	Edwards	Harris
Barron	Cauthen	Ellis	Headley
Bassett	Chesnut	Fite	Hill
Benton	Collins	Flippo	Hughes
Boles	Connell	Gafford	Jones (F)
Boutwell	Coshatt	Goodwin	King
Bowers	Cottingham	Grainger	Kinsey
Brassell	Crawford	Gray (F)	Lang

Lutz	Owens	St. John	Waldrop
McBride	Parker	Smith (K)	Wallace
McCluskey	Perloff	Smith (P)	Warren
McDonald	Porter	Snell	Weeks
Manley	Pruitt	Stewart	Williams
May	Reed (T)	Stubbs	Wise
Mims	Reynolds	Turner	Wood
Naramore	Robertson	Turnham	Wynot

—76

And the bill:

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955. Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Was taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend H.B. 1113 by inserting a new sentence at the end of Section one within the quotation marks as follows:

In this Act, "general welfare purposes" means (1) the administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	Reynolds
Adams	Crawford	Jones (F)	Roberts
Adwell	Cross	King	Robertson
Agee	Crowe	Kinsey	St. John
Barkett	Downing	Lang	Slate
Barron	Drake	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Fite	McCorquodale	Stewart
Boutwell	Flippo	McDonald	Stubbs
Bowers	Gafford	Manley	Turner
Brassell	Goodwin	May	Turnham
Burgess	Grainger	Merrill	Waldrop
Carnes	Gray (F)	Mims	Wallace
Carter	Grey (D)	Naramore	Warren
Casey	Hale	O'Daniel	Weeks
Chesnut	Hardin	Owens	Williams
Collins	Harris	Parker	Wise
Connell	Headley	Porter	Wood
Coshatt	Hill	Pruitt	Wynot

—80

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And the bill, H. 1113 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reid (R)
Adams	Crowe	Lang	Reynolds
Adwell	Downing	Lutz	Roberts
Agee	Drake	McBride	Robertson
Barkett	Edwards	McCluskey	St. John
Barron	Ellis	McCorquodale	Smith (K)
Benton	Fite	McDonald	Smith (P)
Boles	Flippo	Manley	Snell
Boutwell	Gafford	Mathews	Stewart
Bowers	Goodwin	May	Stubbs
Brassell	Grainger	Merrill	Turner
Burgess	Gray (F)	Mims	Turnham
Carnes	Grey (D)	Naramore	Waldrop
Carter	Hale	O'Daniel	Wallace
Casey	Harris	Owens	Warren
Chesnut	Headley	Parker	Weeks
Collins	Hill	Perloff	Williams
Connell	Hughes	Porter	Wise
Cottingham	Jones (F)	Pruitt	Wood
Crawford	King	Reed (T)	Wynot

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I, p. 298 at pp 314-315, the Alabama Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Was taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend H. B. 1112 by inserting a new sentence at the end of Section one within the quotation marks as follows:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jones (F)	Porter
Adwell	Crawford	King	Pruitt
Agee	Cross	Kinsey	Reed (T)
Barron	Crowe	Lang	Reid (R)
Bassett	Downing	Lutz	Reynolds
Benton	Ellis	McBride	Robertson
Boles	Fite	McCluskey	St. John
Boutwell	Flippo	McCorquodale	Slate
Bowers	Goodwin	McDonald	Smith (P)
Brassell	Grainger	McNair	Stewart
Burgess	Gray (F)	Manley	Turner
Carnes	Grey (D)	Mathews	Waldrop
Carter	Hale	May	Warren
Casey	Hardin	Mims	Williams
Chesnut	Harris	Namamore	Wise
Collins	Headley	Owens	Wood
Connell	Hill	Parker	Wynot
Coshatt	Hughes	Perloff	

—71

And the bill, H. 1112 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Carter	Goodwin	McBride
Adams	Casey	Grainger	McCluskey
Adwell	Chesnut	Grey (D)	McCorquodale
Agee	Collins	Hale	McDonald
Barkett	Connell	Hardin	McNair
Barron	Coshatt	Harris	Mathews
Bassett	Crawford	Headley	May
Benton	Cross	Hill	Mims
Boles	Crowe	Hughes	Namamore
Boutwell	Downing	Jones (F)	O'Daniel
Bowers	Edwards	King	Owens
Brassell	Ellis	Kinsey	Parker
Burgess	Fite	Lang	Porter
Carnes	Flippo	Lutz	Pruitt

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Reed (T)	St. John	Stewart	Williams
Reid (R)	Smith (K)	Waldrop	Wise
Reynolds	Smith (P)	Wallace	Wood
Robertson	Snell	Warren	Wynot

—72

And the bill:

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Was taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend H. B. 1111 by inserting a new sentence at the end of Section one within the quotation marks as follows:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jones (F)	Porter
Adams	Crawford	King	Pruitt
Adwell	Cross	Kinsey	Reed (T)
Agee	Crowe	Lang	Reid (R)
Barron	Downing	Lutz	Robertson
Bassett	Edwards	McBride	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Flippo	McCorquodale	Stewart
Boutwell	Goodwin	McDonald	Stubbs
Bowers	Grainger	McNair	Turner
Brassell	Gray (F)	Manley	Waldrop
Burgess	Grey (D)	Mathews	Wallace
Carnes	Hale	May	Warren
Carter	Hardin	Mims	Williams
Casey	Harris	Naramore	Wise
Chesnut	Headley	O'Daniel	Wood
Connell	Hill	Owens	Wynot
Coshatt	Hughes	Parker	

—71

And the bill, H. 1111 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jones (F)	Reed (T)
Adams	Crawford	King	Reid (R)
Adwell	Crowe	Kinsey	Reynolds
Agee	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Edwards	McBride	Smith (K)
Bassett	Ellis	McCluskey	Smith (P)
Benton	Fite	McCorquodale	Snell
Boles	Flipppo	McDonald	Stewart
Boutwell	Goodwin	McNair	Stubbs
Bowers	Grainger	Manley	Turner
Brassell	Gray (F)	Mathews	Waldrop
Burgess	Grey (D)	May	Wallace
Carnes	Hale	Mims	Warren
Carter	Hardin	Naramore	Williams
Casey	Harris	O'Daniel	Wise
Chesnut	Headley	Owens	Wood
Connell	Hill	Parker	Wynot
Coshatt	Hughes	Porter	

—75

And the bill:

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol. I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

Was taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend H. B. 1110 by inserting after the words "general welfare purposes" a new sentence as follows:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boles	Casey	Cross
Adwell	Boutwell	Cauthen	Crowe
Agee	Bowers	Chesnut	Downing
Barkett	Brassell	Connell	Edwards
Barron	Burgess	Coshatt	Ellis
Bassett	Carnes	Cottingham	Flipppo

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Goodwin	Kinsey	Naramore	Snell
Grainger	Lang	Owens	Stewart
Gray (F)	Lutz	Parker	Stubbs
Grey (D)	McBride	Porter	Turner
Hale	McCluskey	Pruitt	Waldrop
Hardin	McCorquodale	Reed (T)	Wallace
Harris	McNair	Reynolds	Warren
Headley	Manley	Robertson	Williams
Hill	Mathews	St. John	Wise
Hughes	May	Smith (K)	Wood
Jones (F)	Mims	Smith (P)	Wynot
King			

—73

And the bill, H. 1110 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Connell	Headley	Porter
Adams	Coshatt	Hill	Reed (T)
Adwell	Cottingham	Hughes	Reynolds
Agee	Crawford	Jones (F)	Robertson
Barkett	Cross	King	St. John
Barron	Crowe	Kinsey	Smith (K)
Bassett	Culver	Lang	Smith (P)
Benton	Downing	Lutz	Snell
Boles	Edwards	McBride	Stewart
Boutwell	Ellis	McCluskey	Stubbs
Bowers	Flippo	McCorquodale	Turner
Brassell	Goodwin	Manley	Wallace
Burgess	Grainger	Mathews	Warren
Carnes	Gray (F)	May	Weeks
Carter	Grey (D)	Merrill	Williams
Casey	Hale	Mims	Wise
Cauthen	Hardin	Naramore	Wood
Chesnut	Harris	Perloff	Wynot

—72

And the bill:

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p. 192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Was taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend H. B. 1109 by inserting a new sentence at the end of Section one within the quotation marks as follows:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section

13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jones (F)	Porter
Adams	Crawford	King	Pruitt
Adwell	Cross	Kinsey	Reed (T)
Agee	Culver	Lang	Robertson
Barkett	Downing	Lutz	St. John
Barron	Edwards	McBride	Smith (K)
Bassett	Ellis	McCluskey	Smith (P)
Benton	Fite	McCorquodale	Snell
Boles	Flippo	McDonald	Stewart
Boutwell	Goodwin	McNair	Turner
Bowers	Grainger	Mathews	Turnham
Brassell	Gray (F)	May	Waldrop
Burgess	Gray (D)	Merrill	Wallace
Carnes	Hale	Mims	Warren
Carter	Hardin	Naramore	Weeks
Casey	Harris	O'Daniel	Williams
Cauthen	Headley	Owens	Wise
Chesnut	Hill	Parker	Wood
Connell	Hughes	Perloff	Wynot
Coshatt			

—77

And the bill, H. 1109 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Crawford	King	Pruitt
Adams	Cross	Kinsey	Reed (T)
Adwell	Culver	Lang	Reynolds
Agee	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McDonald	Smith (P)
Benton	Fite	McNair	Snell
Boles	Flippo	Manley	Stewart
Boutwell	Goodwin	Mathews	Stubbs
Bowers	Grainger	May	Turner
Brassell	Gray (F)	Merrill	Turnham
Burgess	Gray (D)	Mims	Waldrop
Carnes	Hale	Naramore	Wallace
Carter	Hardin	Nettles	Warren
Casey	Harris	O'Daniel	Weeks
Cauthen	Headley	Owens	Williams
Chesnut	Hill	Parker	Wise
Connell	Hughes	Perloff	Wood
Coshatt	Jones (F)	Porter	Wynot
Cottingham			

—81

And the bill:

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I, p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Was taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend H. B. 1108 by inserting a new sentence at the end of Section one within the quotation marks as follows:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Coshatt	King	Pruitt
Adams	Cottingham	Lang	Reed (T)
Adwell	Crawford	Lutz	Reynolds
Agee	Cross	McBride	Robertson
Bank	Crowe	McCluskey	St. John
Barkett	Culver	McCorquodale	Smith (K)
Barron	Downing	McDonald	Smith (P)
Bassett	Edwards	McNair	Snell
Benton	Ellis	Manley	Stewart
Boles	Flippo	Mathews	Stubbs
Boutwell	Goodwin	Merrill	Turner
Bowers	Grainger	Mims	Waldrop
Brassell	Gray (F)	Naramore	Wallace
Burgess	Hale	Nettles	Warren
Carnes	Hardin	O'Daniel	Weeks
Carter	Harris	Owens	Williams
Casey	Hill	Parker	Wise
Cauthen	Hughes	Perloff	Wood
Chesnut	Jones (F)	Porter	Wynot

—76

And the bill, H. 1108 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Burgess
Adams	Barron	Boutwell	Carnes
Adwell	Bassett	Bowers	Carter
Agee	Benton	Brassell	Casey

Cauthen	Hale	Manley	St. John
Chesnut	Hardin	Mathews	Smith (K)
Connell	Harris	May	Smith (P)
Coshatt	Headley	Meeks	Snell
Cottingham	Hill	Merrill	Stewart
Crawford	Hughes	Mims	Stubbs
Cross	Jackson	Naramore	Turner
Crowe	Jones (F')	Nettles	Turnham
Downing	King	O'Daniel	Waldrop
Edwards	Kinsey	Owens	Wallace
Ellis	Lang	Perloff	Warren
Flippo	Lutz	Porter	Weeks
Gafford	McBride	Pruitt	Williams
Goodwin	McCluskey	Reed (T)	Wise
Grainger	McCorquodale	Reynolds	Wood
Gray (F)	McDonald	Robertson	Wynot
Gray (D)	McNair		

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Barron, the House concurred in and adopted the Senate amendment to the bill, H. 1229, said Senate amendment being as follows:

Amend H. 1229 by inserting "50%" in lieu of "75%" wherever it appears in the Synopsis and Section 3.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Carter	Fite	McCluskey
Adams	Casey	Flippo	McDonald
Adwell	Cauthen	Gafford	McNair
Agee	Chesnut	Goodwin	Manley
Barkett	Connell	Grainger	Mathews
Barron	Coshatt	Hardin	May
Bassett	Cottingham	Harris	Meeks
Benton	Crawford	Hill	Merrill
Boles	Cross	Hughes	Naramore
Boutwell	Crowe	King	Nettles
Bowers	Culver	Kinsey	O'Daniel
Brassell	Downing	Lang	Owens
Burgess	Edwards	Lutz	Parker
Carnes	Ellis	McBride	Perloff

REGULAR SESSION
27th Day

2757

Porter	St. John	Stubbs	Weeks
Pruitt	Smith (K)	Turner	Williams
Reed (T)	Smith (P)	Turnham	Wise
Reynolds	Snell	Waldrop	Wynot
Robertson	Stewart	Wallace	—75

And the bill, H. 1229 as thus amended, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Crowe	McBride	Reid (R)
Agee	Culver	McCluskey	Reynolds
Barkett	Downing	McCorquodale	Roberts
Barron	Edwards	McDonald	Robertson
Benton	Ellis	McNair	St. John
Boles	Fite	Manley	Smith (K)
Boutwell	Flippo	Mathews	Smith (P)
Bowers	Gafford	May	Snell
Brassell	Goodwin	Meeks	Stewart
Burgess	Grainger	Merrill	Turner
Carnes	Harris	Mims	Turnham
Carter	Headley	Naramore	Waldrop
Casey	Hill	Nettles	Wallace
Chesnut	Hughes	O'Daniel	Weeks
Connell	Jones (F)	Owens	Williams
Coshatt	King	Perloff	Wise
Cottingham	Kinsey	Porter	Wood
Crawford	Lang	Pruitt	Wynot
Cross	Lutz	Reed (T)	—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Coshatt, the House concurred in and adopted the Senate amendment to the bill, H. 1398, said Senate amendment being as follows:

Strike Section 1 of the bill in its entirety and insert in lieu the following:

Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of \$8,400 per annum. The other six deputies now serving in the office of the sheriff of said county shall each receive an annual salary of \$7,800 per annum. The salaries of the chief deputy and other deputies shall be paid in equal monthly installments out of the general fund of the county and all prior payments heretofore paid for such salaries are hereby validated and ratified.

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At the end of Section 2 of the bill, add the following sentence:

Such deputies shall be in addition to the chief deputy and the six other deputies now serving in the office of the sheriff.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cottingham	King	Reed (T)
Adams	Crawford	Kinsey	Reid (R)
Agee	Cross	Lang	Reynolds
Bank	Crowe	Lutz	Roberts
Barkett	Culver	McBride	Robertson
Barron	Downing	McCluskey	St. John
Bassett	Ellis	McCorquodale	Slate
Benton	Fite	McDonald	Smith (K)
Boles	Flippo	McNair	Smith (P)
Boutwell	Gafford	Manley	Snell
Bowers	Goodwin	Mathews	Stewart
Brassell	Grainger	May	Stubbs
Burgess	Grey (D)	Meeks	Turner
Carnes	Hale	Mims	Waldrop
Carter	Hardin	Nettles	Wallace
Casey	Harris	Owens	Weeks
Cauthen	Headley	Parker	Williams
Chesnut	Hill	Perloff	Wise
Connell	Hughes	Porter	Wood
Coshatt	Jones (F)	Pruitt	Wynot

—80

And the bill, H. 1398 as thus amended, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cross	Lang	Reid (R)
Adams	Crowe	Lutz	Reynolds
Agee	Culver	McBride	Roberts
Barkett	Downing	McCluskey	St. John
Barron	Ellis	McCorquodale	Slate
Bassett	Fite	McDonald	Smith (K)
Benton	Flippo	McNair	Smith (P)
Boles	Gafford	Manley	Snell
Boutwell	Goodwin	Mathews	Stewart
Bowers	Grainger	May	Stubbs
Brassell	Grey (D)	Meeks	Turner
Burgess	Hale	Mims	Turnham
Carnes	Harris	Nettles	Waldrop
Carter	Headley	O'Daniel	Wallace
Casey	Hill	Owens	Weeks
Chesnut	Hughes	Parker	Williams
Connell	King	Perloff	Wise
Coshatt	Kinsey	Porter	Wynot
Crawford			

—73

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

REGULAR SESSION
27th Day

2759

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Manley, the House concurred in and adopted the Senate amendment to the bill, H. 659, said Senate amendment being as follows:

Strike the period at the end of the title and insert in lieu thereof the following:

; and providing a retroactive effect therefor.

Strike Section 3 and insert in lieu thereof the following:

Section 3. This Act shall be retroactive to June 30, 1973.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Kinsey	Reed (T)
Adams	Crawford	Lang	Reid (R)
Agee	Cross	Lutz	Reynolds
Bank	Crowe	McBride	Roberts
Barkett	Downing	McCluskey	St. John
Barron	Edwards	McCorquodale	Smith (K)
Bassett	Ellis	McDonald	Smith (P)
Benton	Fite	McNair	Snell
Boles	Flippo	Manley	Stewart
Boutwell	Gafford	May	Stubbs
Bowers	Goodwin	Mims	Turner
Brassell	Grainger	Naramore	Turnham
Burgess	Grey (D)	Nettles	Waldrop
Carnes	Hardin	O'Daniel	Wallace
Carter	Harris	Owens	Warren
Casey	Headley	Parker	Williams
Cauthen	Hill	Perloff	Wise
Chesnut	Hughes	Porter	Wynot
Connell	King		

—74

And the bill:

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances; and providing a retroactive effect therefor.

As thus amended, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boutwell
Adams	Bank	Bassett	Bowers
Adwell	Barkett	Boles	Brassell

Burgess	Goodwin	McCorquodale	Reynolds
Carnes	Grainger	McDonald	Roberts
Carter	Grey (D)	McNair	St. John
Casey	Hale	Manley	Smith (K)
Chesnut	Hardin	May	Smith (P)
Connell	Harris	Mims	Snell
Cottingham	Headley	Nettles	Stewart
Crawford	Hill	O'Daniel	Stubbs
Cross	Hughes	Owens	Turner
Crowe	King	Parker	Waldrop
Downing	Kinsey	Perloff	Wallace
Edwards	Lang	Porter	Warren
Ellis	Lutz	Pruitt	Williams
Fite	McBride	Reed (T)	Wise
Flippo	McCluskey	Reid (R)	Wynot
Gafford			

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 820, said Senate amendment being as follows:

Amend the last sentence in Section 5 to strike the words "ninety days" and substitute in lieu thereof the words "one hundred and eighty days".

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Benton	Connell	Gafford
Adams	Boles	Cross	Goodwin
Adwell	Boutwell	Crowe	Grainger
Agee	Brassell	Culver	Grey (D)
Bank	Burgess	Doss	Hardin
Barkett	Carnes	Downing	Harris
Barron	Carter	Ellis	Hill
Bassett	Casey	Flippo	Hughes

**REGULAR SESSION
27th Day**

2761

Jackson	Manley	Porter	Stewart
Jones (F)	May	Pruitt	Wallace
King	Meeks	Reynolds	Warren
Lang	Merrill	Robertson	Weeks
Lutz	Mims	St. John	Williams
McBride	Nettles	Smith (K)	Wise
McMillan	O'Daniel	Snell	Wynot
McNair	Parker		

—62

And the bill, H. 820 as thus amended, was again read at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Connell	Jackson	Parker
Adwell	Cottingham	Jones (F)	Porter
Agee	Crawford	King	Pruitt
Bank	Cross	Lang	Reynolds
Barkett	Crowe	Lutz	Robertson
Barron	Culver	McBride	St. John
Bassett	Doss	McCluskey	Smith (K)
Benton	Downing	McMillan	Smith (P)
Boles	Ellis	McNair	Snell
Boutwell	Flippo	Manley	Stewart
Bowers	Gafford	May	Turner
Brassell	Goodwin	Meeks	Waldrop
Burgess	Grainger	Merrill	Wallace
Carnes	Grey (D)	Mims	Warren
Carter	Hardin	Nettles	Weeks
Casey	Hill	O'Daniel	Williams
Chesnut	Hughes	Owens	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Agee, the House concurred in and adopted the Senate amendment to the bill, H. 918, said Senate amendment being as follows:

Strike the period at the end of the title and insert in lieu thereof the following:

; and providing a retroactive effect therefor.

Strike Section 3 and insert in lieu thereof the following:

Section 3. This Act shall be retroactive to June 30, 1973.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jones (F)	Reed (T)
Agee	Crawford	King	Reynolds
Barkett	Cross	Lang	Robertson
Barron	Crowe	Lutz	St. John
Bassett	Culver	McMillan	Smith (K)
Benton	Downing	Manley	Smith (P)
Boutwell	Flippo	May	Stewart
Brassell	Goodwin	Meeks	Turner
Burgess	Grainger	Mims	Waldrop
Carnes	Grey (D)	Nettles	Warren
Carter	Hardin	Owens	Weeks
Casey	Harris	Parker	Williams
Chesnut	Hill	Porter	Wise
Connell	Hughes	Pruitt	Wynot

—56

And the bill:

H. 918. Relating to all counties having a populaion of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education; and providing a retroactive effect therefor.

As thus amended, was again read at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Chesnut	King	Porter
Adams	Connell	Kinsey	Pruitt
Agee	Cottingham	Lang	Reynolds
Bank	Crawford	Lutz	Robertson
Barkett	Cross	McCluskey	St. John
Barron	Crowe	McCorquodale	Smith (K)
Bassett	Culver	McDonald	Smith (P)
Benton	Downing	McMillan	Snell
Boles	Flippo	Manley	Stewart
Boutwell	Goodwin	May	Waldrop
Bowers	Grainger	Meeks	Wallace
Brassell	Grey (D)	Mims	Warren
Burgess	Hardin	Naramore	Weeks
Carnes	Harris	Nettles	Williams
Carter	Hill	Owens	Wise
Casey	Hughes	Parker	Wynot

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and oper-

ate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

And finds same correctly enrolled with Executive Amendment.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to bring up out of order the bill, H. 1557.

Yeas 71; Nays 0.

Yeas:

Messrs.:	Casey	Grainger	McDonald
Adams	Cauthen	Grey (D)	McMillan
Agee	Connell	Hardin	McNair
Barkett	Cottingham	Harris	Manley
Barron	Crawford	Hill	May
Bassett	Cross	Hughes	Merrill
Benton	Culver	Jackson	Mims
Boles	Downing	Jones (F)	Naramore
Boutwell	Edwards	King	Nettles
Bowers	Ellis	Kinsey	O'Daniel
Brassell	Fite	Lang	Owens
Burgess	Flippo	Lutz	Parker
Carnes	Gafford	McBride	Porter
Carter	Goodwin	McCluskey	Pruitt

Reed (T)	St. John	Stewart	Weeks
Reynolds	Slate	Stokes	Williams
Roberts	Smith (K)	Turner	Wood
Robertson	Snell	Wallace	Wynot

—71

And the bill:

H. 1557. To amend further Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), an Act levying additional privilege or license taxes in Tuscaloosa County, so as to exempt tangible personal property purchased outside this county from the use tax levy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Messrs.:	Cross	Kinsey	Porter
Adams	Crowe	Lang	Pruitt
Agee	Culver	Lutz	Reed (T)
Barkett	Downing	McBride	Reynolds
Barron	Ellis	McCluskey	Roberts
Bassett	Fite	McDonald	Robertson
Benton	Flipppo	McMillan	St. John
Boles	Gafford	McNair	Smith (K)
Boutwell	Goodwin	Manley	Smith (P)
Bowers	Grainger	May	Snell
Brassell	Grey (D)	Meeks	Stewart
Burgess	Hardin	Merrill	Stubbs
Carnes	Harris	Mims	Turner
Carter	Headley	Naramore	Wallace
Casey	Hill	Nettles	Weeks
Chesnut	Hughes	O'Daniel	Williams
Connell	Jackson	Owens	Wise
Cottingham	Jones (F)	Parker	Wood
Crawford	King		

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Burgess to suspend the rules in order to bring up out of order the bill, H. 315, was lost, lacking a four-fifths vote.

Yeas 40; Nays 11.

Yeas:

Messrs.:	Cross	Hughes	Reynolds
Adwell	Culver	King	St. John
Bassett	Doss	McDonald	Smith (K)
Boles	Downing	May	Stubbs
Bowers	Edwards	Meeks	Wallace
Brassell	Fite	Merrill	Warren
Burgess	Goodwin	Mims	Weeks
Carnes	Grainger	O'Daniel	Williams
Carter	Grey (D)	Porter	Wise
Connell	Headley	Reed (T)	Wood
Coshatt			

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REGULAR SESSION
27th Day

2765

Nays:

Messrs.:	Cauthen	McBride	Perloff
Adams	Chesnut	McCluskey	Smith (P)
Boutwell	Lang	Nettles	Therrell

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Hill to suspend the rules in order to bring up out of order the bill, H. 756, was lost, lacking a four-fifths vote.

Yeas 59; Nays 18.

Yeas:

Messrs.:	Crawford	Jones (F)	Roberts
Bank	Cross	Lutz	Robertson
Barron	Crowe	McBride	St. John
Boles	Culver	McDonald	Slate
Boutwell	Downing	McMillan	Stewart
Bowers	Edwards	May	Stokes
Brassell	Ellis	Meeks	Stubbs
Callahan	Flippo	Mims	Therrell
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Waldrop
Cauthen	Hale	Parker	Warren
Chesnut	Harris	Perloff	Weeks
Connell	Headley	Porter	Williams
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hughes	Reynolds	Wynot

—59

Nays:

Messrs.:	Fite	McCluskey	Owens
Adams	Gafford	McCorquodale	Smith (K)
Agee	Hardin	McNair	Smith (P)
Benton	Jackson	Mathews	Snell
Casey	Lang	Merrill	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 446. Relating to Marion County; to further regulate branch banking in such county.

Also:

H. 455. Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

Also:

H. 458. Relating to Marion County, to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

Also:

H. 461. To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

Also:

H. 462. To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civil defense equipment they have in their possession for such public ambulance service purposes.

Also:

H. 571. Relating to all counties having a population of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to March 23, 1973.

Also:

H. 573. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150.00 per month.

Also:

H. 583. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Also:

H. 584. To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

Also:

H. 585. To provide for the appointment of an additional deputy sheriff in Marion County.

Also:

H. 587. To propose an amendment to the Constitution of Alabama creating a special school tax district in Marion County and authorizing the levy and collection of special district property taxes for capital outlay purposes for the Marion County school system within said special district, and pro-

viding that such levy and collection shall be subject to a vote of the qualified electors in the district.

Also:

H. 459. To make an appropriation from the Marion County treasury for the relief of Olen Gann.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1376. To authorize each circuit judge of the Eleventh Judicial Circuit to appoint a bailiff-law assistant or alternatively to appoint two other bailiffs; to provide for the compensation, duties and payment of such bailiffs.

Also:

H. 1468. To amend Section I of Act No. 106, H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

Also:

H. 1469. To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteenth Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

Also:

H. 1045. Relating to the Eleventh Judicial Circuit, authorizing each circuit judge of said circuit to appoint a secretary and providing compensation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Owen:

S. 548. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In lieu of any chief deputy sheriff, deputy sheriffs, jailers or matrons heretofore authorized by law, the sheriff of Baldwin County is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from any fund of the county treasury each month in the amounts listed below.

Number of Employees Authorized: 1; Rank: Chief Deputy; Compensation: Shall be the same as a Lieutenant in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Deputies; Compensation: Shall be the same as a State Trooper in Alabama and State Highway Patrol.

Number of Employees Authorized: 2; Rank: Sergeants; Compensation: Shall be the same as a Sergeant in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Matron; Compensation: Shall be the same as a Clerk Stenographer III in the Alabama Department of Public Safety.

Number of Employees Authorized: 1; Rank: Chief Jailer; Compensation: Shall be the same as a Corporal in State Troopers in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Jailers; Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Chief Investigator; Compensation: Shall be not less than that made by an Alabama State Highway Patrol Investigator Sergeant, and not more than Alabama State Highway Patrol Investigator Lieutenant; between said limitations, the sheriff shall fix said employees' salary.

REGULAR SESSION
27th Day

2769

The Chief Deputy, Deputies, Chief Investigator, and Sergeants shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

Section 2. All above named personnel shall be required to complete such training, schooling and in-service training as are from time to time required and prescribed by the sheriff of Baldwin County, Alabama, such training, schooling and in-service training to be paid by the county governing body.

Section 3. In addition to the compensation referred to in Section 1 of this Act all uniformed personnel of the sheriff's department shall be entitled to a uniform allowance of not less than \$250.00 per year and the prescribed uniforms shall be purchased by the department.

Section 4. In addition to the employees authorized in Section 1 of this Act the sheriff is hereby authorized to appoint as many additional special deputies as he deems necessary, which special deputies shall serve without compensation from the county treasury.

Section 5. All compensation and number of personnel shall be considered to be minimum numbers of personnel and compensation thereof and the same may be increased at the discretion of the Baldwin County Commission but shall not be decreased.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 7. Any law or parts of laws which conflict with this Act are repealed.

Section 8. Upon the passage of this Act by the Alabama Legislature and adoption by the Governor, or its otherwise becoming law, it shall become effective October 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, 21, 28, and July 5, all in the year 1973.

J. H. FAULKNER, JR.

Sworn to and subscribed before me July 6, 1973.

SAMUEL K. SMITH,
Notary Public.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 548. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Pierce:

S. 394. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Also:

By Mr. Shelby:

S. 543. To create and establish offices of Deputy District Attorney No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit, and to provide for the appointment and for the duties and compensation of such offices.

Also:

By Mr. Bailes:

S. 611. To Repeal Section 17 of Act No. 1594, Regular Session 1971, thereby applying the provisions of this act to counties with populations of 600,000 inhabitants or more.

Also:

By Mr. Shelby:

S. 678. Relating to Counties having populations of not less than 115,000 nor more than 150,00 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 394. Local Legislation No. 4.

- S. 543. Local Legislation No. 1.
- S. 611. Local Legislation No. 2.
- S. 678. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelby:

S. 506. To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Also:

By Mr. Melton:

S. 511. Relating to Wilcox County; providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County: providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman and members of the Wilcox County Commission, or other like governing body, shall be entitled to an expense allowance not to exceed \$250 per month. This allowance shall be in addition to any and all other compensation and allowances now provided by law and shall be payable from the general funds of the county or such other funds of the county as the County Commission, or other like governing body, shall determine.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, 14, and 21, all in the year 1973.

M. HOLLIS CURL.

Sworn to and subscribed before me June 21, 1973.

GLEND A. CURL,
Notary Public.

Also:

By Mr. Wilson:

S. 520. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

SYNOPSIS: This bill will permit any bank having a place of business in Walker County, Alabama, to maintain additional offices in Walker County, Alabama.

A BILL TO BE ENTITLED AN ACT

To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank authorized to engage in the banking business in Walker County, Alabama and having an office or place of business in Walker

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County, Alabama, shall have the power to establish, maintain and operate within the limits of such county, one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or additional place of business, shall first meet the requirements of the appropriate regulatory banking authorities.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

Robert T. Wilson

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the DAILY MOUNTAIN EAGLE, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, 11, 18, and 25, all in the year 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me June 25, 1973.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Mr. Lindsey:

S. 524. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That in the event of any vacancy caused by death, resignation or removal from office, for any cause, of the Tax Collector and/or the Tax Assessor of Choctaw County, Alabama such vacancy shall be filled by the Chairman and the members of the Choctaw County Commission or governing body of Choctaw County, Alabama at a special meeting called for that purpose or at the next regular meeting of the Commission, and the person so selected shall hold office for the remainder of the term of the member whom he is selected to succeed. In the event no person receives a majority of the votes cast by the Chairman and the members of the Commission to fill said vacancy, then the Chairman shall forthwith certify to the Governor, the names of each person or persons who received a vote or votes and the Governor shall appoint one of such persons to fill the said vacancy.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Legal as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date June 7, 1973, and ending with the issue dated June 28, 1973. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

Sworn and subscribed to before me this, the 9 day of July, 1973.

NELL F. EZELL.

Also:

By Mr. Dozier:

S. 529. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

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Also:

By Mr. Clark:

S. 533. To authorize the county governing body in any county having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census to create a county development fund.

Also:

By Mr. Clark:

S. 534. Relating to all counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census, providing for an expense allowance for members of the county commission.

Also:

By Mr. Weaver:

S. 535. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill, substantially as follows, will be introduced in the Legislature of the State of Alabama and application made for its passage.

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places of business at any place, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in any city or town in Talladega County may establish, maintain and operate additional offices or additional places of business at any place, in cities or towns wholly or partly in such county having not less than 1200 inhabitants, according to the last or any subsequent federal decennial

census, upon approval of the State Superintendent of Banks or of the Comptroller of the Currency provided however, that no bank may establish, maintain or operate such a branch or additional office or place of business within any such city or town in which a bank is already established.

Section 2. All laws or parts of laws which conflict with this Act are repealed, and specifically repealed are the provisions of Code of Alabama 1940, Title 5, Section 125 as to such cities and towns recited in Section one of this Act in Talladega County.

Section 3. This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. E. Blake, Publisher, of the Childersburg Star published weekly at Childersburg do solemnly swear that a copy of the notice, as per clipping attached, was published once in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated March 23, 1972, and ending with the issue dated April 13, 1972.

J. E. BLAKE.

Subscribed and sworn before me this 25th day of April, 1972.

CONRAD M. FOWLER.

Also:

By Mr. Owen:

S. 536. To authorize the Baldwin County governing body to appoint a Baldwin County Industrial Development Commission, to prescribe the powers and duties of and grant funds to said commission.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Baldwin County governing body to appoint a Baldwin County Industrial Development Commission, to prescribe the powers and duties of and grant funds to said commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Baldwin County is hereby authorized to appoint a Baldwin County Industrial Development Commission, which may consist of twelve or less members. The governing body may grant to said Commission such powers and funds as it is authorized to do under the law, for the effective operation of the commission.

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Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BALDWIN COUNTY

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to be entitled an act was published in said newspaper for 4 consecutive weeks in the following issues: June 14, 21, 28, and July 5, 1973.

J. H. FAULKNER, JR.,
Editor.

Subscribed and sworn before the undersigned this 6 day of July, 1973.

SAMUEL K. SMITH,
Notary Public, Baldwin County.

Also:

By Mr. Owen:

S. 537. To authorize the Baldwin County Commission to regulate the minimum size of lots and the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Baldwin County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Baldwin County Commission to regulate the minimum size of lots and the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Baldwin County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The Baldwin County Commission is authorized to regulate the minimum size of lots located or to be located in subdivisions of land situated outside the corporate limits of any municipality in said county and is authorized to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in said county,

including the power to require the filing and posting of a reasonable surety bond with such County Commission by the developers of such subdivisions to guarantee the actual construction and installation of such approved proposed public streets, public roads, and drainage structures before the sale or offering for sale of any lots from such subdivision to the public. The County Commission may require the developers of all proposed subdivisions of lands situated outside the corporate limits of any municipality in said county to submit the plat of such proposed subdivision to the County Commission of said county for approval before such plat is filed for record in the office of the judge of probate.

SECTION 2. If any such public street, public road, or drainage structure is erected, constructed or maintained in violation of the provisions of this Act or any regulations made pursuant thereto, the county may institute appropriate action or proceedings to prevent such unlawful erection, construction or maintenance, or to require such erection, construction, or maintenance, to conform to the regulations prescribed therefor.

SECTION 3. This Act shall take effect October 1, 1973.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to be enacted was published in said newspaper for 4 consecutive weeks in the following issues: March 22, 29, April 5, and 12, 1973.

J. H. FAULKNER, JR,
Editor.

Subscribed and sworn before the undersigned this 6 day of July, 1973.

SAMUEL K. SMITH,
Notary Public, Baldwin County.

Also:

By Mr. Register:

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

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A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Newton, Dale County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said town, in addition to the lands now included, all of the following territory, to wit:

Beginning at the intersection of the South boundary of the Choctawhatchee River and the East right-of-way line of U.S. Highway 231 leading from Midland City to Ozark; thence running Northwesterly along the East right-of-way of U.S. 231 to the South line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, T5N, R25E; thence East along the South line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, T5N, R25E to a point that is 300 feet from the East right-of-way line of U.S. 231; thence Northwesterly parallel to and 300 feet from the East right-of-way line of U.S. 231 to the South right-of-way line of a paved county road (SACP 7240A) thence Southwesterly along the South right-of-way line of a paved county road (SACP 7240-A) to the East right-of-way line of U.S. 231; thence Northwesterly along the East right-of-way line of U.S. 231 to the North line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, T5N, R25E; thence West along the North line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the North line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, T5N, R25E to a point 300 feet West of the West right-of-way line of U.S. 231; thence Southeasterly parallel to and 300 feet from the West right-of-way line of U.S. 231 to a point on the East line of Section 30, T5N, R25E and the present northerly corporate limits boundary of the Town of Newton, thence in an easterly direction parallel and contiguous to the north corporate limits boundary of Newton to the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, 13, and 20, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me June 21, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Mr. Fine:

S. 541. Relating to all counties with a population of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to provide an additional expense allowance for the coroner of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 506. Local Legislation No. 1.
- S. 511. Local Legislation No. 1.
- S. 520. Local Legislation No. 1.
- S. 524. Local Legislation No. 1.
- S. 529. Local Legislation No. 1.
- S. 533. Local Legislation No. 1.
- S. 534. Local Legislation No. 1.
- S. 535. Local Legislation No. 1.
- S. 536. Local Legislation No. 1.
- S. 537. Local Legislation No. 1.
- S. 539. Local Legislation No. 1.
- S. 541. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Foshee:

S. 605. To further amend Section 1 of Act No. 88, S. 224, Regular Session (Acts 1967, p. 420) which provides clerk hire allowance for certain county officers in certain counties classified on a population basis, so as to provide additional clerk hire.

Also:

By Mr. Harris:

S. 584. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Morgan County.

Also:

By Mr. Harris:

S. 610. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Also:

By Mr. Harris:

S. 566. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Also:

By Mr. Baker (By Request):

S. 553. Relating to Monroe County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MONROE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Monroe County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Monroe County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

BILL STEWART.

Sworn to and subscribed before me June 14, 1973.

FRANCES REID NETTLES,
Notary Public.

Also:

By Mr. Baker:

S. 588. Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

Be It Enacted by the Legislature of Alabama:

Section 1. The name of DeKalb County Inferior Court created by Act No. 636, Regular Session 1957 (Acts 1957, p. 953), as amended, is hereby changed to DeKalb County District Court and wherever in the laws of this State the term, "DeKalb County Inferior Court" is used the same shall mean DeKalb County District Court.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circula-

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tion published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, June 7, and 14, all in the year 1973.

MARVIN L. BARRON, DMD,
Publisher.

Sworn to and subscribed before me this 16 day of July, 1973.

JOHN M. BAKER,
Notary Public.

My commission expires: 7/28/75

Also:

By Mr. Baker:

S. 589. Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Be It Enacted by the Legislature of Alabama:

Section 1. In DeKalb County each house trailer must have the identification tag provided for in Act No. 44, H. 53, 1961 Special Session, (Acts 1961, p. 1897) as amended, attached to the rear of said trailer regardless of whether said house trailer has been assessed for ad valorem taxation as part of the realty.

Section 2. This Act shall become effective on October 1, 1973.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was

published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, 31, and June 7, and 14, all in the year 1973.

MARVIN L. BARRON, DMD,
Publisher.

Sworn to and subscribed before me this 16th day of July, 1973.

BETTY D. MITCHELL,
Notary Public.

My commission expires: 9/24/73

Also:

By Mr. Baker:

S. 590. Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF DEKALB**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), is hereby amended to read as follows:

"Section 1. In DeKalb County, the amount of salary of the chief clerk of the judge of probate for the performance of his duties shall be determined by the governing body of the county, which salary shall be paid from the general funds of the county."

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
COUNTY OF DEKALB**

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD, who, being by me

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first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

MARVIN L. BARRON, DMD,
Publisher.

Sworn to and subscribed before me this 16th day of July, 1973.

BETTY D. MITCHELL,
Notary Public.

My commission expires: 9/24/73

Also:

By Mr. Foshee:

S. 604. To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, is hereby further amended to read as follows:

“Section 1. The circuit clerk of Covington County, Alabama, is hereby authorized to employ such secretarial assistants and other assistants at such a salary as shall be fixed by order of the county governing body of Covington County.”

Section 2. Section 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, is hereby further amended to read as follows:

“Section 2. The salary of the secretarial assistants and other assistants authorized in the preceding section shall be paid monthly to the assistants out

of the general funds of Covington County by lawful warrant drawn in the manner provided for the issuance of other warrants, which shall be paid by the county treasurer, or other like officer who is custodian of such funds."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority James W. Lambert, Jr. Editor of The Andalusia Star-News who being duly sworn, says that the attached Legal Notice of publication appeared in 4 successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: June 13, 20, 27, and July 4, 1973.

This the 13 day of July, 1973.

JAMES W. LAMBERT, JR.

Sworn to and subscribed before me this 13 day of July, 1973.

LORA JONES,
Notary Public.

Also:

By Mr. Owen:

S. 608. To authorize the Baldwin County governing body to appoint a county tourism commission which will promote travel to Baldwin County, to prescribe the powers and duties of and to grant funds from the county governing body to the tourism commission.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows, will be introduced in the Legislature of Alabama. And application for its passage and enactment will be made, to wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Baldwin County governing body to appoint a county tourism commission which will promote travel to Baldwin County, to prescribe the powers and duties of and to grant funds from the county governing body to the tourism commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Baldwin County is hereby authorized to appoint a county tourism commission, whose duties it shall be to

promote travel to and throughout Baldwin County. Said commission may consist of a total of 15 members or less. The governing body of Baldwin County shall grant to the commission such powers as are deemed necessary to accomplish the duties of the commission, and which the governing body may delegate under law.

Section 2. The governing body of Baldwin County shall have the authority to place such funds as are needed for the effective operation of the above mentioned commission at the disposal of said commission, to be expended by the commission as it deems necessary.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

John Cameron, being duly sworn, deposes and says that he is the EDITOR of THE ONLOOKER, a Weekly Newspaper published at Foley, Baldwin County, Alabama, that the notice hereto attached of A bill to be enacted was published in said newspaper for 4 consecutive weeks in the following issues: June 14, 21, 28, and July 5, 1973.

JOHN CAMERON,
Editor.

Subscribed and sworn before the undersigned this 16th day of July, 1973.

SAMUEL K. SMITH,
Notary Public, Baldwin County.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 605. Local Legislation No. 1.

SENATE MESSAGE

The Senate bill, S. 584, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 610. Local Legislation No. 1.
- S. 566. Local Legislation No. 1.
- S. 553. Local Legislation No. 1.
- S. 588. Local Legislation No. 1.
- S. 589. Local Legislation No. 1.
- S. 590. Local Legislation No. 1.
- S. 604. Local Legislation No. 1.
- S. 608. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Wilson:

S. 661. Relating to the 14th judicial circuit, providing a secretary for the circuit judge.

Also:

By Mr. Edington:

S. 640. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Also:

By Mr. Fine:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general fund of such Counties.

Also:

By Mr. Baker:

S. 627. To authorize the governing body of DeKalb County to pay all expenses incurred by the Circuit Court Clerks and Registers in their respective state organizations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the governing body of DeKalb County to pay all expenses incurred by the Circuit Court Clerks and Registers in their respective state organization.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of DeKalb County is hereby authorized to pay all dues and registration fees of Circuit Court Clerks and Registers in the Alabama Association of Circuit Clerks and Registers, and also pay all expenses incurred in attending the annual meeting of said organization.

Section 2. These dues and expenses are to be paid from the general fund of DeKalb County.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, 24, 31, and June 7, all in the year 1973.

MARVIN L. BARRON, DMD,
Publisher.

Sworn to and subscribed before me this 19th day of July, 1973.

JOHN M. BAKER,
Notary Public.

My commission expires: 7/28/75

Also:

By Mr. Baker:

S. 628. To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657) which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), is hereby amended to read as follows:

"Section 1. In DeKalb County, each member of the jury commission and the jury clerk of said commission shall be paid the sum of twenty dollars (\$20) per day for the time actually engaged in the discharge of his duties as a member; provided however that the jury commission shall be authorized to meet up to a maximum of sixty (60) days during each calendar year. Said allowance shall be paid out of the county treasury on warrants drawn by the judge of probate of the county upon evidence satisfactory to him that such service has been rendered."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 3, 12, and 19, all in the year 1973.

MARVIN L. BARRON, DMD,
Publisher.

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Sworn to and subscribed before me this 20th day of July, 1973.

BETTY D. MITCHELL,
Notary Public.

My commission expires: 9/24/73

Also:

By Mr. Baker:

S. 630. Relating to DeKalb County; fixing the salary of the chief deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; fixing the salary of the chief deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual salary for the chief deputy, deputies and other positions of the sheriff's office of DeKalb County shall be fixed by the sheriff not to exceed the following amounts for each such position:

Chief Deputy—Seven Thousand two hundred dollars (\$7,200), Deputies—Six thousand six hundred dollars (\$6600), Sheriff's Clerk—Six thousand dollars (\$6000), Sheriff's Clerk—Six thousand dollars (\$6000), Matron, Three thousand six hundred dollars (\$3600).

Section 2. The salaries for such positions of the sheriff's office shall be paid in equal monthly installments at the end of the month, and the governing body of DeKalb County shall, in its discretion, pay such salaries out of the Highway Traffic Funds or any other funds in the county treasury.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective upon the first day of the month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Dr. Marvin L. Barron, DMD, who, being by me

first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 3, and 12, all in the year 1973.

MARVIN L. BARRON, DMD,
Publisher.

Sworn to and subscribed before me this 16th day of July, 1973.

BETTY D. MITCHELL,
Notary Public.

My commission expires: 9/24/73

Also:

By Mr. Lindsey:

S. 635. To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, within this state, now or hereafter situated in Choctaw County, shall have the power to establish, maintain, and operate within the limits of said county, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payments of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

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Section 2. The provisions of Code of Alabama 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county in which this Act applies, and all other laws, general or local in conflict herewith are also repealed as to such county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Bill to be an Act (Bank) as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue dated July 5, 1973, and ending with the issue dated July 26, 1973. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

Sworn to and subscribed to before me this, the 26th day of July, 1973.

NELL F. EZELL.

Also:

By Mr. Carr:

S. 645. Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

Proposed Legislation concerning Salary of the Judge of the Marshall County Court

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated April 26, May 3, 10, and 17 respectively, of which said notice a copy of same being hereto attached and made a part of this affidavit, being marked Exhibit "A".

JOHNNIE COUCH.

Subscribed and sworn to before me this 25th day of May, 1973.

ALICE WELLS HARVEY,
Notary Public.

My commission expires Mar. 8, 1976.

EXHIBIT A
PROPOSED LEGISLATIONSTATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of the County Court of Marshall County, Alabama, shall receive a salary of sixteen thousand (\$16,000.00) dollars per year, to be paid in equal monthly installments from the general funds of Marshall County.

Section 2. All general, local or special laws, or parts of such laws, which are in conflict with this Act are hereby repealed.

Section 3. If any clause, sentence, paragraph or section of this Act shall for any reason be adjudged by any Court of competent jurisdiction to be invalid, unconstitutional or otherwise unlawful, such judgment shall not affect, impair or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall be granted.

Section 4. This Act shall take effect upon the expiration of the term of the incumbent Judge of the County Court of Marshall County, Alabama.

Also:

By Mr. Carr:

S. 648. To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

Proposed Legislation—A Bill to be Entitled an Act to authorize and provide for the establishment of a Public Law Library in Marshall County

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Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated April 12, 19, 26, and May 3 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A".

JOHNNIE COUCH.

Subscribed and sworn to before me this 25th day of May, 1973.

ALICE WELLS HARVEY,
Notary Public.

My commission expires Mar. 8, 1976.

EXHIBIT A
PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Marshall County, Alabama, by whatever name called, is hereby authorized to establish and maintain a Public Law Library in said County, and to accomplish said purpose, may from time to time, expend such public funds of said County to provide furniture, fixtures, and equipment therefor, to keep the same in a good state of maintenance and repair, and, from time to time, to enlarge, expand, the improve such Library, facilities, and equipment and, from time to time, to provide such books, reports, and periodicals for said library as are not provided therefor out of the special fund created by this Act or otherwise, and to pay the salaries of an assistant librarian and such other personnel as may be necessary and proper to operate the same, to the extent that such salaries are not paid out of the proceeds of such special fund; which expenditures shall, from time to time, be made on warrants drawn in the usual manner, upon the County

Depository payable out of the appropriate fund or funds. The governing body of Marshall County, Alabama, shall provide adequate and suitable housing or quarters for such Library.

Section 2. In order to provide a special fund for the establishment and maintenance of said Library, there shall be taxed as costs in the Circuit Court and in the County Court of Marshall County, Alabama, or in any court created in lieu thereof, the sum of One and fifty-one hundredths (\$1.50) Dollars in each Civil Action, or Quasi Civil Action, Suit in Equity, Criminal Case, Quasi Criminal Case, proceeding on a forfeited bail bond or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court in the Circuit Court or in the County Court of Marshall County, Alabama, or in any court created in lieu thereof, hereinafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Marshall County, Alabama, or to the County Court of Marshall County, Alabama, or in any court created in lieu thereof, which costs shall be collected as other costs in such cases are collected by the Clerk of said Courts or the Register thereof, as the case may be, and shall be paid to the County Depository of Marshall County, Alabama, and deposited in the separate fund hereafter established.

Section 3. The management and control of said Public Law Library shall be vested in a Librarian and an Advisory Committee. Such Librarian shall be a member of such Advisory Committee and shall be selected or elected by such Advisory Committee. Such Advisory Committee shall consist of the Circuit Judges of the Twenty-seventh Judicial Circuit, the Judge of the County Court of Marshall County, Alabama, or in any court created in lieu thereof, and the District Attorney of the Twenty-seventh Judicial Circuit. In all matters involving the expenditure of monies, each member of the Advisory Committee shall have one vote; and, in order to expend monies, at least three votes shall be cast in favor of such expenditure.

Section 4. The sums herein provided to be paid into the County Depository of Marshall County, Alabama, shall be kept in a separate fund designated as "Marshall County Public Law Library Fund" and shall be expended by the Librarian, by and with the consent of the Advisory Committee, for maintaining said Law Library. Said Librarian shall draw warrants on the County Depository for expenditures, indicating on the warrants the fund against which the warrants are drawn. Every warrant drawn by such Librarian shall be countersigned by at least two members of said Advisory Committee. Said fund shall be used primarily to lease or purchase, from time, for cash, or under security agreements or conditional sales contracts in anticipation of future revenue under this Act, or otherwise as the Advisory Committee may deem expedient, such books and periodicals, and to pay the salaries of such personnel, as may in the opinion of said Advisory Committee be advisable, but, to the extent not so used, funds may otherwise be expended for the maintenance of said Library. All books or other property purchased from the funds produced by this Act shall be the property of Marshall County, Alabama, provided, however, that the Advisory Committee may from time to time sell at public or private sale, destroy as being obsolete, or exchange any such books, reports, periodicals, and personal property, and apply the proceeds from the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals, and personal property for use in said Library, and the Advisory Committee may accept any gift or loan of books, reports, periodicals, and property for public use in said Library upon such terms and con-

ditions as may be stipulated by the donor or lender thereof and as may be agreeable to the Advisory Committee. Said Advisory Committee may appoint such assistant librarians, and other personnel, as may in its opinion be necessary or proper to operate said Library, and, to the extent that, in the opinion of said Advisory Committee the circumstances permit, the Advisory Committee may require the Clerks of said Court, and-or the Register of said courts, and-or the Official Court Reporters of said Circuit Court and the County Court of Marshall County, Alabama, or any court created in lieu thereof, to operate the same, or to assist therein, either with or without additional compensation therefor from said fund as the Advisory Committee shall direct. Said Fund may be used to match grants from governmental agencies for the purchase of such books or periodicals. The Advisory Committee may purchase used legal books, publications, periodicals, fixtures, or equipment from a member of the Advisory Committee, provided, however, that the member proposing to sell any such items to the Advisory Committee shall have no vote thereon and the other three members thereof shall unanimously vote in favor of such purchase, and provided further that the purchase price thereof shall not exceed the appraised value thereof by a competent appraiser. All purchases for such Public Law Library shall be exempt from all State of Alabama, County, or Municipal Sales Taxes or Use Taxes.

Section 5. The said items of cost above referred to shall be designated in said respective Courts as "Public Law Library Fee" and shall be taxed as other costs are taxed in said Courts. On or before the 10th day of each month, the Clerk, Register, or other collecting officer of the respective Courts shall pay to the said County Depository the amounts collected as such fees for said Public Law Library previous to the first day of the preceding month.

Section 6. If any sentence, clause, provision, or section of this Act be declared to be invalid, the invalidity thereof shall not effect the validity of any other portion of provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portion hereof.

Section 7. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also:

By Mr. Carr:

S. 649. Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

Proposed Legislation—an Act to Provide an Expense Account for the Marshall County Judge

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the no-

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tice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated May 3, 10, 17, and 24 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A".

JOHNNIE COUCH.

Subscribed and sworn to before me this 25th day of May, 1973.

ALICE WELLS HARVEY,
Notary Public.

My commission expires Mar. 8, 1976.

EXHIBIT A
PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of the County Court of Marshall County, Alabama, shall be entitled to receive from the County treasury for expenses, including but not limited to membership dues and other expenses incurred in attending seminars, conferences, schools and other functions attended by said Judge pertaining to his official position as Judge of the County Court, which payment shall be in addition to all other compensation and allowances now provided by law. Such payments shall be paid on warrants approved by the County Commission of Marshall County, Alabama, on any funds in the County treasury not otherwise appropriated.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect immediately following the date of its enactment.

Also:

By Mr. Carr:

S. 650. Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrest for Marshall County and to provide for their compensation.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

Proposed Legislation—an Act Relating to the Circuit Judges of the 27th Judicial Circuit appointing 2 attorneys to act as Warrant Issuing Magistrates

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated April 26, May 3, 10, and 17 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A".

JOHNNIE COUCH.

Subscribed and sworn to before me this 25th day of May, 1973.

ALICE WELLS HARVEY,
Notary Public.

My commission expires Mar. 8, 1976.

EXHIBIT A
PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrest for Marshall County and to provide for their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) practicing attorneys, members of the Marshall County Bar and licensed to practice law in the State of Alabama as Warrant Issuing Magistrates with authority to issue warrants or writs of arrest and search warrants in any criminal case arising in Marshall County, the same to be returnable to the proper officers or court within Marshall County.

Section 2. Any appointment or appointments made by the Circuit Judges of the 27th Judicial Circuit may be revoked by the Circuit Judges without a hearing and with or without just cause; and, when any such appointment is revoked, all authority previously granted to issue warrants and writs of arrest or search warrants, shall immediately cease.

Section 3. Said Warrant Issuing Magistrate shall receive compensation of fifty (\$50.00) dollars each per month payable out of the General Funds of Marshall County.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

Also:

By Mr. Carr:

S. 651. To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bailiffs, to further define duties of bailiff and to authorize the use of such bailiffs by the Judge of the County Court of Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

Proposed Legislation concerning the appointment of Bailiffs

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated May 21, 28, June 4, and 11 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A".

JOHNNIE COUCH.

Subscribed and sworn to before me this 12th day of June, 1973.

ALICE WELLS HARVEY,

Notary Public.

My commission expires Mar. 8, 1976.

EXHIBIT A

PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bailiffs, to further define duties of bailiff and to authorize the use of such bailiffs by the Judge of the County Court of Marshall County.

REGULAR SESSION
27th Day

2801

Section 1. The Circuit Judges of the Circuit Court of Marshall County, or either of them, are authorized to appoint such bailiffs from time to time as may be needed to serve during jury or non-jury sessions of the court or to attend the Grand Jury while in session, and such bailiff or bailiffs shall serve at the will or pleasure of the appointing judge or judges.

Section 2. As compensation for services, each of such bailiffs shall receive \$15.00 per day, such compensation to be paid out of the county treasury on the certificate of one of the Circuit Judges.

Section 3. Such bailiffs are fully authorized to perform all the duties of bailiff and, in addition, such other duties as may be designated by either of the Circuit Judges, and, if directed specifically, such bailiffs are authorized and empowered to serve any original, mesne or final process.

Section 4. If not in conflict with his duties in attending the Circuit Court, any such bailiff may also serve the County Court of Marshall County, and for such service shall receive the same compensation, to be paid upon like certificate by the County Judge out of the county treasury.

Section 5. This Act or any of its provisions does not repeal or modify any other Act of the Legislature relating to bailiffs and does not in any way restrict or diminish the Authority of any such bailiff.

Section 6. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also:

By Mr. Malone:

S. 660. To provide for monthly compensation of the Chairman and Board members of the Rainbow City Gas, Water, and Sewer Board, in Etowah County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for monthly compensation of the Chairman and Board members of the Rainbow City, Gas, Water and Sewer Board, in Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established a monthly compensation schedule for the Chairman and two Board members of the Rainbow City Gas, Water and Sewer Board in Etowah County, to be paid as follows; the Chairman

of said Board shall receive \$200 per month; the two Board members shall receive \$50 each per month.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective on the first day of the month following passage of the bill and signature of the Governor, or otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of The Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me July 18, 1973.

WALTER BETZ,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 661. Local Legislation No. 1.
- S. 640. Local Legislation No. 3.
- S. 618. Local Legislation No. 1.
- S. 627. Local Legislation No. 1.
- S. 628. Local Legislation No. 1.
- S. 630. Local Legislation No. 1.
- S. 635. Local Legislation No. 1.
- S. 645. Local Legislation No. 1.
- S. 648. Local Legislation No. 1.
- S. 649. Local Legislation No. 1.
- S. 650. Local Legislation No. 1.
- S. 651. Local Legislation No. 1.
- S. 660. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lindsey:

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

Also:

By Mr. O'Bannon:

S. 745. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

Also:

By Mr. Owen:

S. 747. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance and an additional clerk hire allowance for the circuit clerk.

Also:

By Mr. Owen:

S. 749. Relating to counties having a population of not less than 570,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for additional expense allowance for the tax collector and tax assessor.

Also:

By Mr. Givhan:

S. 757. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide that charitable funds contributed to such county may be used to carry out the provisions of Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539).

Also:

By Mr. Horne:

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal decennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

Also:

By Mr. Lindsey:

S. 765. To provide for the filling of vacancies in the event of death,

resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That in the event of any vacancy caused by death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body, of Choctaw County, Alabama such vacancy shall be filled by the Chairman and the remaining members of the Commission, at a special meeting called for that purpose, or at the next regular meeting of the Commission, and the person so selected shall hold office for the remainder of the term of the member whom he is selected to succeed. In the event no person receives a majority of the votes cast by the Chairman and the remaining members of the court to fill said vacancy, the Chairman shall forthwith certify to the Governor, the names of each person or persons who received a vote or votes and the Governor shall appoint one of such persons to fill the said vacancy.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Legal (Bill) as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue dated June 7, 1973, and ending with the issue dated June 28, 1973. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

REGULAR SESSION
27th Day

2805

Sworn and subscribed to before me this, the 9th day of July, 1973.

NELL F. EZELL.
McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 744. Local Legislation No. 1.
- S. 745. Local Legislation No. 1.
- S. 747. Local Legislation No. 1.
- S. 749. Local Legislation No. 1.
- S. 757. Local Legislation No. 1.
- S. 715. Local Legislation No. 1.
- S. 765. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Foshee:

S. 606. To provide funds for clerical hire for the circuit clerk of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

Also:

By Mr. Dozier:

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Also:

By Mr. Malone:

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

Also:

By Mr. Littleton:

S. 664. Providing expense allowances for members of the governing bodies of counties having populations of not less than 10,660 nor more than 10,900, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

By Mr. Littleton:

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

By Messrs. Pierce and Jones:

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,00 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Also:

By Mr. Owen:

S. 669. Relating to counties having a population of not less than 57,000 nor more than 61,000; authorizing the county governing body of such counties to provide the bailiff of the Circuit Court of such counties additional compensation.

Also:

By Mr. Wilson:

S. 696. Relating to the Fourteenth Judicial Circuit, providing further for the salaries of the court reporters of said circuit.

Also:

By Mr. Wilson:

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

By Mr. Carr:

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. METHOD OF TRANSFER:

REGULAR SESSION
27th Day

2807

With notice and proof thereto attached and herewith exhibited as follows:

PUBLISHER'S AFFIDAVIT

Proposed Legislation—An Act Concerning the Transfer of Cases in the Marshall County Court

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated Apr. 26, May 3, 10, and 17 respectively, of which said notice a copy of same being hereto attached and made a part of this affidavit, being marked Exhibit "A".

JOHNNIE COUCH.

Subscribed and sworn to before me this 25th day of May, 1973.

ALICE WELLS HARVEY,
Notary Public.

My commission expires Mar. 8, 1976.

EXHIBIT A

PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Marshall County.

To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. Method of Transfer:

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of the County Court of Marshall County is hereby authorized to permanently transfer to the Circuit Court of the 27th Judicial Circuit, by appropriate entry on the docket sheet, any pending suit and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting any enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit.

Section 2. Method of Transfer: Whenever the Judge of the County Court of Marshall County shall make an entry order of transfer on the docket sheet of any pending suit or proceedings set forth in Section 1, the Register in Equity of the County Court or the Clerk of the County Court shall immediately transfer all documents and papers in such pending suit together with a certified copy of the entry of transfer to the Circuit Court of the 27th Judicial Circuit and such cases or proceedings shall be then docketed in the Circuit Court of the 27th Judicial Circuit and such transfer shall be of permanent nature.

Section 3. That all laws or parts of laws, which shall conflict with this act, are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Also:

By Mr. Fine:

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words, terms, and phrases, whenever used herein, shall have the meanings respectively ascribed to them in this section, and shall include the singular as well as the plural:

“Allocation” means the assignment of positions to a class on the basis of the nature, difficulty and responsibility of work of the positions.

“Appointing authority” means the official board designated by resolution of the governing body as being the official or board having authority to fill vacancies in a specified class, or the governing body itself in the event that the governing body has made no such designation in respect to a class, or having made such designation, has thereafter repealed such resolution.

“Board” means the Personnel Board of the City of Russellville.

“Certify, Certification” means the act of supplying the appointing authority with names of applicants deemed eligible for appointment to the class or position to be filled.

“City” means the City of Russellville.

“Class” means a position or group of positions that involve similar duties and responsibilities and require similar qualifications and are designated by a single title indicative of the work to be performed.

"Court" means the Circuit Court of Franklin County, Alabama.

"Eligible list" means a list of names of persons who have successfully competed by examination written or oral, arranged in the order of their final ratings, as determined by the Personnel Board.

"Employee" means a person regularly occupying a position in the classified service or a person who is on authorized leave of absence and whose position is being held for him pending his return.

"Demotion" means removal of an employee from a position in one class to a position in another class having a lower maximum salary limit than the position from which he was removed.

"Governing body" means the Mayor and City Council of the city or any governing authority which is a successor thereto.

"Merit system" whenever the term "Merit System" appears, it shall mean the same as "Civil Service System"; within the meaning of this act.

"Original appointment" means the appointment to a position in the classified service of a person who is not being reemployed from the reemployment list, nor being promoted from the promotional eligible list and who, except for those in the exempt service and those serving under temporary appointment, is not an employee of the city.

"Original appointment eligible list" means the eligible list of persons qualified for original appointment to a position.

"Laid-off" means separated from the classified service of the city because of lack of work or funds or other reason not related to fault, delinquency or misconduct on the part of the employee.

"Position" means a group of current duties and responsibilities assigned or delegated by competent authority and requiring the full or part-time services of one employee.

"Promotion" means a change of employment from a position of one class to a position of another class which has a higher maximum salary rate.

"Promotional eligible list" means the eligible list of persons qualified for promotion to a position.

"Reemployment list" means:

(a) the list of names of former employees who have been laid-off from a position within the past two (2) years who have permanent status in that position so long as that position continued in the classified service, arranged in the inverse order in which they were laid-off.

(b) the list of names of those former employees who resigned or otherwise left the city service in good standing at any time within the past two (2) years.

"Vacancy" means a position duly created with funds provided for payment of a salary, which is not occupied, or which is occupied by a person serving under a temporary appointment.

Section 2. Division Into Exempt and Classified Services.

All offices and positions of the city shall be divided into the exempt service and the classified service.

1. The exempt service shall include:

(a) the positions of all elected officials of the city, (b) the positions of voluntary personnel and personnel appointed to serve without pay; (c) the positions of consultants rendering temporary professional service; (d) all positions involving seasonal or part-time employment; (e) the positions of attorneys rendering legal service; provided, however, such positions in the exempt service held by employees of boards and commissions may be placed in the classified service by resolution of the governing body, after favorable recommendation by such other board or commission, and the governing body in such resolution shall prescribe the conditions under which the employees holding such positions so transferred may acquire permanent status in such positions so long as such positions remain in the classified service.

2. Classified Service:

The classified service shall include all positions in the city service that are paid out of the general fund of the city and out of funds of boards and commissions whose employees are placed in the classified service, and which are not specifically placed in the exempt service or excluded from the provisions of this act as provided in Section 24 hereof. Unless otherwise specifically provided or clearly implied, the provisions of this act shall apply only to the classified service.

Section 3. Status and Present Employees. All employees who have acquired permanent status shall, subject to the provisions of this act, have permanent status in their present positions so long as such positions remain in the classified service. All other employees shall be eligible to acquire permanent status in their present positions so long as such positions remain in the classified service in the manner provided in Section 14, upon completing six months' service in such positions, such time to be computed from the beginning of such service, rather than from the effective date of this act.

Section 4. Organization of Board. The personnel program established by this act shall be administered by the board. The board shall consist of three (3) members who are residents of the city and who shall be appointed by the governing body. No member of the board shall be employed by or be an official of the city, nor hold any elective public office. The composition of the board shall be designated as Place No. 1, Place No. 2, and Place No. 3. The person appointed as a member of the board in Place No. 1 shall serve a term of two (2) years; the person so appointed for Place No. 2 shall serve a term of four (4) years; the person so appointed for Place No. 3 shall serve a term of six (6) years. Thereafter each term shall be for a period of six (6) years. Vacancies occurring during a term shall be filled for the balance of the term by the governing body. Members of the board shall receive fifty dollars (\$50) per quarter for their services on the board and the secretary-treasurer of the board shall receive an additional fifteen dollars (\$15) per quarter for his additional duties as such officer. Members shall be entitled to receive their reasonable and necessary expenses incurred in the performance of board business and all such compensation and expenses shall be paid out of the general fund of the city. The board shall elect from its own members a chairman, a vice chairman and a secretary-treasurer. The board shall meet as often as

necessary to carry out the purpose of this act, but shall meet at least once each quarter, however, the governing body shall have the right to control the appropriations to the board and to regulate the expenses of the board as it deems necessary. A majority of the members of the board shall be necessary to constitute a quorum for the transaction of business and no action shall be taken without the affirmative vote of a majority of the quorum present at a meeting. The board, with the approval of the governing body shall have the right to engage such full or part-time personnel as shall be necessary to carry out the provisions of this act.

Section 5. General Duties of Board. In addition to the duties set forth elsewhere in this act, the board shall (a) advise the governing body on matters of personnel administration, including the development of personnel rules, a job classification plan, and a systematic pay plan; (b) represent the public interest in the improvement of personnel administration in the city service; (c) make any inquiry which it may consider desirable concerning personnel administration in the city service; and (d) make recommendations to the governing body with respect to any of the foregoing duties.

Section 6. Rules, Classification Plans, and Pay Plans. So long as the same are not inconsistent with this act, the board shall have the power to recommend to the governing body the adoption of rules and regulations for the operation of the civil service system established hereby, including, but not limited to a job classification plan, a pay plan, and a plan for the mandatory and/or permissive retirement of employees. Within sixty (60) days after the presentation of a recommendation of the board, the governing body shall act upon the same, and if the governing body by resolution adopts the recommendation of the board, the same shall become operative and have the force and effect of law. All rules, regulations and pay and classification plans in effect at the time of the adoption of this act which are not in conflict with the provisions hereof shall remain in force and effect after the effective date of this act until the same are altered; amended or repealed in the manner herein-after provided.

Section 7. Amendments and Repeal. Any rule, determination, regulation or plan may be amended or repealed in whole or in part in the same manner as is provided herein for the making of such rules, determinations, regulations or plans.

Section 8. Job Classification Plan. After the adoption by the governing body of a job classification plan, allocation of each position in the classified service shall be made by the board with the approval of the governing body to the end that all positions in the same class shall be sufficiently alike to permit use of a single descriptive title, the same qualification requirements, the same test of competence, and the same pay scale.

Section 9. Pay Plan. After the adoption by the governing body of a pay plan and any rules of its administration, the board, with the approval of the governing body, will assign each position to one of the pay ranges provided in the pay plan to the end that the rate or range of compensation for each class provided for in the pay plan shall be such as to reflect fairly the differences in duties and responsibilities in the various classes.

Section 10. Examinations. Eligibility for original appointment or promotion to vacancies in positions in the classified service occurring after the adoption of this act shall be determined by the Personnel Board. The Person-

nel Board shall conduct such examinations as will fairly test the abilities and aptitudes of the applicants with respect to the duties to be performed. Applicants who pass the test and otherwise qualify for original appointment or promotion, as the case may be, shall be placed on the appropriate eligible list for the vacancy. The board may refuse to examine, or after examination refuse to certify the name of anyone who is found to lack any of the established qualification requirements for the position for which he applies or who is physically so disabled as to be unfit to perform duties of the position to which he seeks appointment, or who has been convicted of or is under indictment for any crime involving moral turpitude or who has been guilty of any infamous or disgraceful conduct or who has been dismissed from the public service for delinquency or misconduct or who has intentionally made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his application, or in his examination.

Section 11. Temporary Appointment. Pending the availability of a list of names certified as provided in Section 13 hereof, positions may be filled by temporary appointment. The governing body by resolution adopted pursuant to a recommendation of the board may grant permanent status in a position in the classified service so long as such position remains in the classified service, to any employee who has served in a vacancy in a position then in the classified service by temporary appointment for at least twelve (12) months and who has passed his examination, if at the time of such action by the governing body no such list of names has been so certified for the vacancy in which the said employee is serving.

Section 12. Lists of Names of Persons Available for Appointment. List of names of persons available for appointment to a vacancy in a position in the classified service will be selected for certification as provided in Section 13 hereof in the order in which they appear from among the laid-off persons on the reemployment list, promotional eligible list, original appointment eligible list, and reemployment list composed of former employees for said vacancy, which lists shall have priority one over the other in the order named. A former employee with probationary status with respect to the vacancy may, with the approval of the appointing authority, have his name placed at such position on the promotional eligible list as the appointing authority may designate. Policies and procedures for administering eligible lists and covering the duration, cancellation, replacement, and consolidation of such lists, and the removal or suspension of names therefrom shall be provided in the personnel rules.

Section 13. Method of Filling Vacancies. Except as hereinafter provided, vacancies in positions in the classified service shall be filled by the appointing authority by the appointment of a person whose name is certified, within thirty (30) days after certification. Certification shall be made upon the request of the appointing authority therefor whenever a vacancy exists, the appointing authority, in his discretion, determines that such vacancy shall be filled, and the name of an applicant for such vacancy is eligible for certification. If there is a laid-off person on the reemployment list with respect to a vacancy, only the top name on such list shall be eligible for certification. In the event the top person is not available for appointment, the next ranking names may be certified until the highest ranking person who is available is appointed. In the event there is no such reemployment list, and the names on the promotional eligible list for such vacancy plus the names on the original appointment eligible list for such vacancy equal three (3) or more, the three (3) names ranked highest on the said promotional eligible list shall be eligible

for certification; provided, however, should the said promotional eligible list not contain three (3) names, then the names appearing thereon, plus such of the names ranked highest on the said original appointment eligible list as will be sufficient to bring the number of certified to three (3) shall be eligible for certification. If after making a reasonable effort it should prove impossible for the appointing authority to locate any of the persons so certified or should it become known to the board that any person so certified is not willing to accept the position, the appointing authority may request that additional names be certified until the appointing authority has available to him a list from which to make the appointment containing the aforesaid authorized number of persons all of whom are available for such appointment and willing to accept the position, or, in the event that the list certified to the appointing authority contains fewer than the authorized number of available and willing persons as aforesaid from which to make a selection, the appointing authority, in his discretion, may choose from the remaining certified names, make a temporary appointment, or make no appointment. In the event that there does not exist an employment list which the board deems to be appropriate from which to fill the vacancy, the board shall prepare such a list within a reasonable time after receipt of the request of the appointing authority that eligibility be certified. Provided, however, nothing herein contained shall be construed as preventing an appointing authority, in his discretion, from withdrawing his request for the aforesaid certification, either before or after such certification has been made in response to this request therefor. Whenever a person has been certified to and rejected by an appointing authority three (3) times, the board may remove the name of such person from the eligible list on which his name appeared. A person shall be deemed to have been so rejected by an appointing authority when a vacancy is filled from an eligible list on which his name appeared and such person was not selected to fill the vacancy.

Section 14. Probation. Except as provided in Section 2 and 3, to acquire permanent status in a position in the classified service so long as such position remains in the classified service, employees shall be subject to a period of probation. The regular period of probation shall be six (6) months; provided, however, the board may adopt rules and regulations specifying a longer period of probation for a designated class or classes, or for extension of the probation period for any individual probationary employee, but no probationary period may extend beyond twelve (12) months. The work and conduct of employees with a probationary status shall be subject to close scrutiny and evaluation. An employee retained beyond the end of the probationary period shall have permanent status in the position in which he was so retained so long as that position remains in the classified service if, but only if, the appointing authority files a written statement with the board affirming the fact that the services of the employee have been found to be satisfactory.

Section 15. Absences: Hours of Work. Rules shall be adopted in the manner hereinbefore provided prescribing hours of work and the conditions and length of time for which leaves of absence with pay and leaves of absence without pay may be granted. These shall cover such matters as vacations, holidays, sick leaves, leaves for military service, and leaves granted so that the employee can seek election to public office.

Section 16. Lay-Off of Employees. Any employee may be separated from his position by being laid-off. Reduction in the number of employees shall be made in such class or classes as the appointing authority may designate; provided, however, within each class affected by such reduction em-

ployees shall be laid off in the following order: (1) temporary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (2) probationary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (3) other temporary employees; (4) other probationary employees; and (5) employees having permanent status in the position in the classified service.

Section 17. Dismissal, Demotion and Suspension of Employees. Any employee may be dismissed, suspended without pay or demoted by his appointing authority for, but not limited to, any violation of the provisions of this act or whenever the good of the service will be served thereby or the employee's work, performance, conduct on or off the job, or insubordinate attitude so warrants; provided, however, that no employee may be suspended without pay for more than fifteen (15) working days at any one time or for more than thirty (30) working days in any one year; and provided further, that no employee shall be dismissed, suspended without pay or demoted for political considerations other than those enumerated in Section 21 hereof. Any person appointed to a position who has secured his certification thereof through fraud shall be removed by his appointing authority and shall not thereafter be eligible for examination for or appointment to any position except by unanimous permission of the board. The appointing authority shall promptly report to the board in writing the fact and extent of all disciplinary action taken by said appointing authority against employees holding positions in the classified service.

Section 18. Procedure for Protesting Certain Disciplinary Action. An employee shall have the right to protest any disciplinary action taken against him by his appointing authority; provided, however, an employee serving by temporary appointment and an employee having probationary status shall have no right to protest any such disciplinary action, unless such employee had permanent status in some other position at the time he was appointed to his present position. An employee desiring to protest any disciplinary action directed against him by his appointing authority shall file a protest in writing with the board and with his appointing authority within seven (7) days of the date on which the disciplinary action was taken and request a hearing before the board. Within seven (7) days after receipt of the protest, his appointing authority shall file with the chairman of the board and mail to the employee by certified mail a statement specifying the charges against such employee on which the disciplinary action was based. Upon the filing of such charges, the said chairman shall call a meeting of the board to be held within thirty (30) days after the filing of such charges to hear such protest, and shall forthwith give notice by certified mail to the employee and his appointing authority of the time and place of such meeting. The board shall have the authority to continue the hearing from time to time as may be necessary. In preparing for and conducting such hearing, the chairman and secretary-treasurer of the board shall each have the power to administer oaths, and to subpoena and require the attendance of witnesses and the production of books, documents and accounts pertaining to the subject under investigation.

Subpoenas issued as herein provided shall be served (and the fees and allowances for the service thereof shall be the same) as is provided by law for the service of subpoena issued by the Circuit Court of Franklin County, Alabama. Said fees and allowances in connection with the service of such sub-

poena issued at the request of the appointing authority or the board shall constitute reasonable and necessary expenses of the board. Such subpoena issued at the request of the employee shall be served as aforesaid but only after such employee has deposited sufficient security with such sheriff or other officer as will guarantee payment of such fees and allowances for such service. In the event any person is duly summoned to appear and testify or produce evidence, or both, before the board, and such person refuses to attend or testify or produce such evidence, or any of them, in obedience to such summons, the board shall have the right to invoke the aid of the Circuit Court at law. In such event, and upon proper showing by the board to the court, the court shall issue, or cause to be issued, an order or subpoena requiring such person to appear before the board and produce all evidence and give all testimony relating to the issue within his knowledge. Any person failing to obey any such summons by either of said officers of the board without good cause, to be determined by the court, may be punished by the court in the same method as is provided by law for contempt of the court and any person failing to obey any such order or subpoena of the court, may be proceeded against by the court as is by law provided in the case of contempt of such court. In addition, any employee of the city who fails to obey any of such orders or subpoenas may be disciplined as provided in Section 17.

At the hearing the employee and his appointing authority shall each have the right to be represented by counsel. Such hearing shall be governed by rules of practice and procedure adopted by the board, and in conducting such hearing, the board shall not be bound by the technical rules of evidence. No informality of procedure in the conduct of such hearing shall invalidate any decision made by the board. At the conclusion of the hearing, the board shall render a decision (a) affirming the disciplinary action taken if it is reasonably satisfied from the evidence offered at the hearing that the disciplinary action taken was lawful or was not too severe; or (b) reversing the action of the appointing authority if it is reasonably satisfied from such evidence that the disciplinary action taken was not lawful; or (c) modifying the disciplinary action taken and prescribing the proper penalty if it is reasonably satisfied from such evidence that the employee was subject to some disciplinary action, but that the penalty imposed was too severe. If the board's decision reduces the severity of the disciplinary action taken against the employee, the board, in its decision, may provide that the employee shall be reinstated with or without pay; provided, however, in the event any employee is so ordered to be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the thirty (30) days next preceding the taking of the disciplinary action in question. A copy of the board's decision shall be filed with the city clerk of the city and such decision shall become effective immediately upon such filing, and it shall become final ten (10) days thereafter unless reversed or modified as hereinafter provided. The Personnel Board shall be represented by the city attorney, or an attorney designated by the governing body of the city, and said attorney shall perform such duties as the board may direct and require. Any compensation paid said attorney shall be paid as in Section 22 hereof.

Section 19. Appeal to the Court. Decisions of the board may be enforced in the court by mandamus, injunction, or other appropriate proceedings. The employee, the appointing authority, or the city may, within ten (10) days after the decision of the board is rendered, appeal to said court from any decisions of the board affirming, imposing or refusing to affirm or impose dismissal or demotion as disciplinary action by filing notice of such

appeal with the court and causing a copy of such notice to be served on the appointing authority and any member of the board. Upon the filing of such notice, the board shall file with the court a certified transcript of the proceeding had before it with respect to the appeal, and its decision in the matter. The appeal shall be heard at the earliest possible date by said court sitting without a jury on the issues made before the board and the trial in said court shall be de novo. No bond shall be required for such an appeal and the cost of such appeal shall be taxed against the unsuccessful party or as the judge may direct. At the conclusion of such hearing the court may affirm, reverse, or modify the board's decision, or remand the case for further proceedings before the board as the court in its discretion shall deem best. If the order of the court is that the employee shall be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the thirty (30) days next preceding the taking of the disciplinary action in question. An appeal may be taken from any judgment of said court to the Court of Appeals or Supreme Court as provided by law.

Section 20. Records to be Maintained by Board. The board shall maintain adequate records of its proceedings, of its own official acts, the examination record of every candidate, and the employment record of every employee.

Section 21. Political Activities Prohibited. No person holding a position in the classified service shall seek or attempt to use any political endorsement in connection with any appointment to a position in the classified service. No person holding a position in the classified service shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person or for any consideration. No employee holding a position in the classified service shall, directly or indirectly, pay or promise to pay any assessment, subscription, or contribution for any political organization or purpose, or solicit or take any part in soliciting any such assessment, subscription, or contribution. No person shall solicit any such assessment, subscription, or contribution of any employee holding a position in the classified service. No employee holding a position in the classified service shall be a candidate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote, unless on authorized leave of absence for such purpose. Any person holding a position in the classified service who violates any provision of this section may be disciplined by dismissal, suspension without pay, or demotion as provided in Section 17 of this act. In addition, any person holding a position in the classified service who wilfully violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

Section 22. Expenses of Board. The governing body shall make necessary appropriations from the general fund to pay the reasonable and necessary expenses incurred by the board and its members in the administration of this act.

Section 23. Right of Governing Body. Nothing herein shall be construed as restricting the right of the governing body (1) to refuse employ-

ment and prohibit the further service of any person who is a member of an organization which is opposed to the basic purpose of local self government; or (2) to increase or decrease proportionately the compensation of all employees; or (3) to use independent contractors for performance of work or the rendering of service by the city.

Section 24. The following employees are excluded from the provisions of this act: employees of the gas board, water supply board, water and sewer board, janitors and all employees of the electric department, except the supervisor of said department.

Section 25. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 26. Repealer. All laws or parts of laws which conflict with this act are repealed.

Section 27. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me, first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, 14, 21, and 28, all in the year 1973.

CLAUDE E. SPARKS.

Sworn to and subscribed before me July 2, 1973.

MAE G. STREIT,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 606. Local Legislation No. 1.
- S. 659. Local Legislation No. 1.
- S. 663. Local Legislation No. 1.

REGULAR SESSION
27th Day

2819

- S. 664. Local Legislation No. 1.
- S. 665. Local Legislation No. 1.
- S. 667. Local Legislation No. 4.
- S. 669. Local Legislation No. 1.
- S. 696. Local Legislation No. 1.
- S. 714. Local Legislation No. 1.
- S. 646. Local Legislation No. 1.
- S. 699. Local Legislation No. 1.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. on August 7, 1973.

H. J. R. 133

H. J. R. 12

H. J. R. 57

H. J. R. 132

H. J. R. 134

H. J. R. 141

H. J. R. 148

H. 321

H. 848

H. 811

H. 813

H. 814

H. 850

H. 930

H. 377

H. 527

H. 576

H. 660

H. 567

H. 547
H. 470
H. 220
H. 628
H. J. R. 162
H. J. R. 163
H. J. R. 164
H. J. R. 156
H. J. R. 158
H. J. R. 159
H. J. R. 160

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Crowe, the House adjourned until 12:00 o'clock noon, Thursday, August 9, 1973.

Yeas 39; Nays 37.

Yeas:

Messrs.:	Casey	Harris	Naramore
Adams	Connell	Hughes	O'Daniel
Agee	Cottingham	Jackson	Perloff
Barkett	Crawford	McCorquodale	Porter
Bassett	Crowe	McDonald	Robertson
Boles	Culver	Manley	St. John
Bowers	Downing	Mathews	Smith (K)
Brassell	Edwards	May	Therrell
Burgess	Fite	Meeks	Weeks
Carter	Hardin	Merrill	Wood

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Nays:

Mr. Speaker	Goodwin	McCluskey	Snell
Barron	Grainger	Nettles	Stewart
Benton	Hale	Owens	Stokes
Boutwell	Headley	Parker	Stubbs
Carnes	Hill	Reed (T)	Turner
Cauthen	Jones (F)	Reynolds	Waldrop
Chesnut	King	Roberts	Warren
Cross	Lutz	Slate	Williams
Ellis	McBride	Smith (P)	Wise
Flippo			

—37